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4 SELECT COMMITTEE TO INVESTIGATE THE
5 JANUARY 6TH ATTACK ON THE U.S. CAPITOL,
6 U.S. HOUSE OF REPRESENTATIVES,
7 WASHINGTON, D.C.

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11 DEPOSITION OF: KIMBERLY GUILFOYLE

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15 Monday, April 18, 2022

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17 Washington, D.C.

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20 The deposition in the above matter was held in Room 5480, O'Neill House Office
21 Building, commencing at 10:16 a.m.

22 Present: Representatives Schiff and Lofgren.

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2 Appearances:

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4 For the SELECT COMMITTEE TO INVESTIGATE

5 THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

6

7 [REDACTED], INVESTIGATIVE COUNSEL

8 [REDACTED], INVESTIGATIVE COUNSEL

9 [REDACTED], STAFF ASSOCIATE

10 [REDACTED], PROFESSIONAL STAFF MEMBER

11 [REDACTED], CHIEF INVESTIGATIVE COUNSEL

12 [REDACTED], PROFESSIONAL STAFF MEMBER

13 [REDACTED], FINANCIAL INVESTIGATOR

14 [REDACTED], CHIEF CLERK

15 [REDACTED], FINANCIAL INVESTIGATOR

16 [REDACTED], PARLIAMENTARIAN

17 [REDACTED], SENIOR INVESTIGATIVE COUNSEL

18 [REDACTED], OF COUNSEL TO THE VICE CHAIR

19

20 For KIMBERLY GUILFOYLE:

21

22 CHAD SEIGEL

23 JOE TACOPINA

24 TACOPINA SEIGEL & DEOREO

1

2 [REDACTED]: Good morning. This is the deposition of Kimberly Guilfoyle,
3 conducted by the House Select Committee to Investigate the January 6th Attack on the
4 United States Capitol pursuant to House Resolution 503.

5 This will be a staff-led deposition, though members may choose to ask questions.
6 I will note that we are joined by Representatives Schiff and Lofgren.

7 My name is [REDACTED] and I am senior investigative counsel with the select
8 committee. With me from the select committee staff are [REDACTED]
9 investigative counsel; [REDACTED], investigative counsel; [REDACTED] financial
10 investigator; [REDACTED], senior investigative counsel; and [REDACTED], financial
11 investigator.

12 Under House deposition rules, neither committee members nor staff may discuss
13 substance of testimony today unless the committee approves release. You and your
14 attorneys will have an opportunity to review your transcript.

15 Please note under the House rules that you may have your attorney present, but
16 counsel for other individuals may not be. We don't have that situation here.

17 At this time, I'd like to ask your counsel to identify themselves for the record.

18 Mr. Tacopina. Thank you, [REDACTED] For Ms. Guilfoyle, Joseph Tacopina.

19 Mr. Seigel. Good morning. And Chad Seigel for Ms. Guilfoyle as well.

20 [REDACTED] I just want to go over a couple of ground rules for the deposition.

21 These are our official reporters. They are going to be transcribing our
22 conversation. The reporters' transcription is the official record of the proceeding.

23 I will just say I know I can speak fast, so please don't hesitate to tell me to slow
24 down or any of us on this side.

25 Please wait until each question is completed before you begin to respond, and we

1 will do our best to wait until your response is completed before we ask the next question.

2 The reporters can't note nonverbal responses, so if you shake your head or nod,
3 they won't know. So please try to respond with a yes or a no.

4 Please give complete answers to the best of your recollection. If a question is
5 unclear, we're not trying to trick you. So just please ask us for clarification. We can
6 rephrase it and make sure you understand.

7 If you don't know the answer, please just say you don't know. We do not want
8 you to guess.

9 You may refuse to answer a question only to preserve a privilege recognized by
10 the select committee.

11 If you refuse to answer a question based on a privilege, we may proceed with the
12 deposition or we can seek a ruling from the chairman on the objection. If the chairman
13 overrules the objection, you would then be required to answer the question.

14 We will have plenty of opportunities for you to consult with counsel if need be, so
15 please don't hesitate if you need to confer with your counsel to take a moment, pause,
16 and we're happy to give you that chance.

17 Finally, I just want to remind you that -- and we do this for every witness -- it is
18 unlawful to deliberately provide false information to Congress. Doing so could result in
19 criminal penalties, including under 18 U.S.C. Section 1001.

20 Because this deposition is under oath, would you please raise your right hand to
21 be sworn.

22 The Reporter. Do you solemnly declare and affirm under the penalty of perjury
23 that the testimony you are about to give will be the truth, the whole truth, and nothing
24 but the truth?

25 The Witness. Yes, I do.

1 The Reporter. Thank you.

2 [REDACTED] And just logistically, if you need a comfort break or a break, this is not
3 meant to be a marathon, so please don't hesitate to ask us if you need a break for any
4 reason.

5 The Witness. Okay. Thank you.

6 [REDACTED] Okay. There may be several people asking questions. And, again,
7 if you don't understand a question, please just ask me or the questioner to repeat it.

8 Do you or your counsel have any questions before we begin?

9 Mr. Tacopina. No.

10 The Witness. No.

11 [REDACTED] So first, we just want to start with some biographical information.

12 Mr. Tacopina. [REDACTED], I do have a question. I'm sorry. I'm trying to think of
13 one. I get paid by the question, that's why.

14 Whoever is speaking up -- I know there are other members who are participating
15 but not visible. When someone is asking a question, will their face appear on the
16 screen?

17 [REDACTED] So traditionally that is how they appear. We usually see their video
18 come on, and then we try to pause. We'll also take breaks just to make sure any of the
19 Representatives have a chance to ask questions as it pertains to certain lines of
20 questioning. But usually, if their video comes on, that is a signal of them wanting to ask
21 questions.

22 Mr. Tacopina. Okay.

23 The Witness. Also, she said you're going to identify if someone is coming in.

24 [REDACTED] Yes, ma'am.

25 Mr. Tacopina. You'll identify who the speaker is.

1 [REDACTED] So we monitor when the Representatives come in and out, and we
2 put it on the record and we'll notify you as soon as we see. You can also see the names
3 of individuals.

4 And just so you know, everybody on there is select committee staff or the people
5 operating the webcam, and the only Representatives that we have right now, again, are
6 Schiff and Lofgren.

7 Mr. Tacopina. Okay.

8 [REDACTED] And when that changes, we'll enunciate it for the record and let you
9 know. We actually enunciate for the record when they enter and when they leave.
10 Generally when they enter, not when they leave. Excuse me.

11 Mr. Tacopina. Okay. Thank you.

12 [REDACTED] Any other questions?

13 Mr. Tacopina. No, we're good.

14 [REDACTED] Perfect. But please don't hesitate to ask questions.

15 The Witness. Also outside of your presence.

16 EXAMINATION

17 BY [REDACTED]

18 Q So just if you could start, just provide us your full name and any other names
19 that you've used in the past.

20 A Sure, certainly. Kimberly Ann Guilfoyle. A-n-n. And Guilfoyle,
21 G-u-i-l-f-o-y-l-e. I've gone by Kim Guilfoyle, Kimberly Guilfoyle Newsom, Kimberly
22 Guilfoyle Villency, V-i-l-l-e-n-c-y, which is the names of my previous husbands.

23 Q And so, just to be clear, your original maiden name, Kimberly Guilfoyle?

24 A That's correct.

25 Q Thank you.

1 A That's on my passport. That's the name that I use. But I've also been
2 referred to by those names.

3 Q I really appreciate the clarity.
4 Can you tell me your date of birth?

5 A Yes. [REDACTED].

6 Q And what is your residence address, cell phone, and email address?

7 A [REDACTED] And email is
8 [REDACTED], but I have a lot of different emails over the years.

9 Q And we're just going to focus on the period from December 2020 through
10 January 2021, so that's a rough -- a couple months. If you could just confirm where you
11 were living then, the cell phones you were using, and the email addresses you were using
12 during that period.

13 A From when, December --

14 Q December 2020 through January 2021.

15 A December 2020, I was living at [REDACTED], [REDACTED]
16 [REDACTED]. I don't recall the ZIP.

17 Q That's fine. And were you using a different cell phone or were you using
18 the same cell phone?

19 A No, the same.

20 Q And did you have any other cell phones during that time?

21 A No.

22 Q And the same email address, the [REDACTED]?

23 A Yes.

24 Q And do you have any Instagram Twitter accounts? Excuse me, those are
25 separate things. Instagram or Twitter accounts?

1 A Yes, I do.

2 Q And what are the -- I'm not a social media person -- the handles?

3 A Yes. I think it's @KimGuilfoyle on Twitter, because Kimberly couldn't fit,
4 but you can check that. And it's Kimberly Guilfoyle on Instagram.

5 Q And were those the same accounts during December 2020 and January
6 2021?

7 A Yes, they were.

8 Q Okay. And can you tell us a little about your education background, just
9 college and --

10 A So yeah, anyway, I attended Our Lady of Mercy Grammar School, Mercy High
11 School in San Francisco, and then UC Davis for college, and University of San Francisco for
12 law school.

13 Q So we just want to talk with you about your work history. It's sometimes
14 easier to go back in time.

15 Can you tell us what your current occupation, means of employment, sources of
16 income, however you define that? Who are you working for now?

17 A I am currently working for the super-PAC called MAGA Again and MAGA
18 Policies. I also have self-employment, giving speeches throughout the country, and
19 some other consulting media work.

20 Q The self-employment, do you do that through an entity, like an LLC or a
21 business?

22 A Usually, it either goes into my personal account or to Tru Media LLC.

23 Q I'm going to come back to that in a moment.

24 If we could go back, the last employment you had prior to what you just discussed,
25 was it in 2020 when you were the chair of the Finance Committee for the Trump Victory

1 Committee?

2 A No.

3 Q Was there employment in between that?

4 A No. Meaning the election was November 3rd. That was my position then
5 was as national finance chair.

6 Q Yes.

7 A Trump Victory Finance Committee, Campaign Donald J. Trump for President.

8 Q Let me ask this a better way so it's more clear.

9 A Sure.

10 Q Let's just go back in time. Tell us where you're working now, the job before
11 that, the job before that. That's what I was trying to ask, is before you were working for
12 MAGA Again and MAGA Policies and the self-employment.

13 A Yes. I didn't start that till like April of last year.

14 Q Okay. And before that, what job did you have?

15 A Well, I guess I was unemployed.

16 Q When you say unemployed, were you still doing work through Tru Media?

17 A Not work like through or to Tru Media. I don't even know if I had anything,
18 you know, in between that time. A little bit of consulting, et cetera. But there was
19 basically a break.

20 Q Okay. And before that, the break?

21 A I worked for Donald J. Trump for President.

22 Q And what was your title then?

23 A National Chair for Trump Victory Finance Committee.

24 Q Okay. And do you remember what time period that was?

25 A Well, I was also senior adviser to the President. So I had two titles. I

1 started out as senior adviser to the President, and then they added additional job
2 responsibilities for me, which was to oversee and run the finance campaign.

3 [REDACTED] Sorry to interrupt, Ms. Guilfoyle. If you don't mind
4 speaking up just a bit louder.

5 The Witness. Oh, really. Sorry.

6 [REDACTED] I think folks on the Webex are having a bit of trouble
7 understanding.

8 Mr. Tacopina. Should I move that closer?

9 [REDACTED] Yeah, that would be great, Joe.

10 Mr. Tacopina. Do you want me to move over?

11 [REDACTED] That's totally up to you. It might be actually a lot easier.

12 Thank you. We appreciate it. Thank you. We do appreciate the
13 accommodation.

14 BY [REDACTED]

15 Q And a moment ago, we were talking about your employment history.

16 A Yes.

17 Q You had said you were an adviser to the President, and then you also
18 acquired the title related to the Finance Committee.

19 To the best you can remember, can you give us the estimated dates of when you
20 started as an adviser and then when you picked up the additional role?

21 A You know, I can't, because had I been told that I was going to need to
22 prepare for that, I would have gone back and researched the exact dates. It's like
23 people ask me what day did you get married or what day did you get divorced?
24 Sometimes you just don't know those things off the top of your head and then you google
25 yourself.

1 Q That's fair. And you're right, we probably can google it. So if you can't
2 remember, it's not the end of the world.

3 A But can I tell you this to be helpful and just cut to the chase?

4 Q Sure.

5 A Here's the thing. So I worked, you know, media/television forever, right?
6 MSNBC, CNN, Court TV, FOX News, all of the above.

7 Then I left FOX and went to work for the President at America First Super PAC.
8 From there, I was then asked to join the campaign for Donald J. Trump for President, and I
9 transitioned from the PAC to the campaign.

10 My first role was as senior adviser to the President working on the campaign,
11 attending events, giving speeches, et cetera, whatever was needed. And then I became
12 also, in addition to that role, the national finance chair. It's been called national finance
13 chair, national finance chairwoman, Trump Victory Finance Committee. It's the same
14 job.

15 Q That was fantastic. And any time you want to cut to the chase and get to
16 where I'm --

17 A Yes.

18 Q -- going like that in an answer, please feel free. That was a super helpful
19 summary.

20 A Sure.

21 Q In your role working for the Trump Victory Committee, can you describe
22 what you were doing?

23 A Yes. So I was the principal and chief fundraiser for then President Trump,
24 who was seeking reelection for the 2020 election. So my job was to do calls, do events,
25 plan them, invite people to attend. And I would do calls every single day. And I was on

1 the road, I mean, sometimes six States in a day doing events and campaigning.

2 Q And I'm sorry, I didn't mean to cut you off.

3 This was a focus on individual donors or would you say high-level donors?

4 A I focused on anybody I could that was going to give a contribution to the
5 President. That included what we call low-dollar, small-dollar contributions. It also
6 included what we would refer to as major donors.

7 I would also seek out people who had given in the past, because my staff would
8 give me lists of people to call. So if someone had lapsed as a donor, I might target some
9 of those people that had been engaged in 2016 and we hadn't received a donation from.

10 [REDACTED] Are we okay? She may be beating me in terms of speed.

11 [Reporter responds.]

12 The Witness. I was waiting for that. I'm surprised someone didn't complain.

13 [REDACTED] No, no, it's okay. We just try to make sure that the record is clear.

14 BY [REDACTED]

15 Q And did you have a staff when you were working for the Trump Victory
16 Committee?

17 A Yes, I did.

18 Q Who worked for you?

19 A So many people.

20 Q To the best that you can recollect, just direct reports?

21 A Everybody reported to me.

22 Q Directly?

23 A Well, anything that was going on with Trump Victory, they would come to
24 me or ask me a question. It wasn't like somebody wasn't allowed to speak to me, you
25 know.

1 So there was just various roles. There's people that are helping with putting
2 together a call list. There's people that are helping with my ground operation, which
3 would be checking in people when they attend an event, people that were going to
4 receive a photo with the President, running a click line, which is the photos, that type of
5 thing. So it was like ground game, logistics, finance, fundraising, all the above.

6 Q Did Caroline Wren work for you while you were working on the Trump
7 Victory Committee?

8 A She was one of the people on the team, yes.

9 Q Do you remember what her title was?

10 A I don't remember what her specific title was, quite frankly. She probably
11 used different ones every day.

12 Q Do you remember what your role -- what her role was?

13 A Her role was fundraising as well for the President. And she would do calls
14 with me on many occasions, providing lists, or we'd go over how an event would be, or, in
15 fact, choosing a location, talking about what donor might want to host the President.

16 Q Do you remember her having her own fundraising list that she brought in, or
17 did she rely on your lists?

18 A We relied -- well, as far as I know, I relied on the list that we had from the
19 prior campaign and whatever was in the database.

20 Q Did you ever have awareness of her bringing in her own list or having a list of
21 donors that she provided?

22 A I don't recall that.

23 Q Okay. And did Mr. Budowich work for Trump Victory Committee?

24 A Taylor?

25 Q Uh-huh.

1 A Yes.

2 Q Do you remember his title?

3 A I don't recall what his title was for the whole time. It might have changed.
4 But he was basically like senior adviser working with myself and Donald Trump, Jr., and
5 the finance team.

6 Q And so who would you have said he reported to?

7 A I mean, I guess basically he's one of the people that would come and talk to
8 me. And he worked with me. He traveled on the road with myself and Don and was
9 basically a hardworking, helpful person.

10 Q Do you remember a woman named Lea Bardon?

11 A Yes.

12 Q Did she work for you?

13 A Yes.

14 Q And what was her title?

15 A She was an assistant, basically.

16 Q Okay. And earlier you mentioned Tru Media LLC. Can you explain what
17 your relationship is, in terms of ownership? Are you a part owner? Are you a
18 member?

19 A Of what?

20 Q Of Tru Media LLC.

21 A Just me. To my recollection and my knowledge, it's just me.

22 Mr. Tacopina. Sole proprietor.

23 The Witness. Yes.

24

BY [REDACTED]

25 Q And did that used to be called KG Productions LLC?

1 A It's possible. I don't recall.

2 Q Okay. Do you remember having a separate entity called KG Productions
3 LLC?

4 A To my recollection, I had an entity that was basically not ever utilized. And
5 maybe that was it, but I don't recall.

6 Q Okay. But KG Productions LLC, that doesn't sound familiar to you?

7 A I mean, I'm hearing it now, but not really.

8 Q Okay.

9 A I mean, KG is my name but --

10 Q I guess that's -- I guess the thing is if somebody --

11 A That is another name I go by, actually.

12 Q Okay. And we have seen KG everywhere. So when we saw --

13 A Oh, I know.

14 Q -- KG Productions LLC, we just wanted to confirm is that, in fact, you. We
15 didn't want to assume just because it said KG.

16 A No. If you have something you'd like to show me, I can take a look and see
17 if that's what it is.

18 Q I don't know that it will even come up, frankly, but we just wanted to make
19 sure we weren't -- whether we had that identified correctly or not.

20 A Uh-huh.

21 Q Turning to the Ellipse rally, which is what we're going to call the event that
22 occurred on the Ellipse on January 6th, can you tell us how did you first become aware of
23 the event? To the best of your recollection, when is the first time that you remember
24 somebody even talking about, let's just say, a rally or an event being held on January 6th?

25 A When did I first become aware or hear about? I don't know the exact date,

1 but I know it was sometime, you know, after Christmas, New Year's. And then I
2 remember seeing stuff in the press about it that there was going to be a rally. And then
3 I recall seeing tweets saying, okay, the President is going to go and there's going to be a
4 rally in Washington, D.C. -

5 Q Do you remember having conversations with Caroline Wren about an event
6 being held on January 6th?

7 A Yes, I recall one time at Mar-a-Lago that she told me that members of the
8 family were going to be attending, that it would be a rally. I think that was on January
9 1st.

10 Q Is that the first time that you can remember, to the best of your recollection,
11 having a conversation with Ms. Wren about the events on January 6th?

12 A You mean about the events on January 6th --

13 Q Yes.

14 A -- or about that there was going to be a rally?

15 Mr. Tacopina. Leading up --

16 BY [REDACTED]

17 Q The planning of an event --

18 A Because it hadn't happened yet.

19 Q Yes, ma'am. The planning of an event on January 6th, whatever form that
20 was going to take, can you remember the first time that you had discussions with
21 Ms. Wren about some event that was going to happen on January 6th?

22 A I cannot remember the first time I had a discussion with Ms. Wren about
23 that event.

24 Q Okay. The conversation that you just mentioned at Mar-a-Lago --

25 A But I remember hearing about the event in the media and news prior to

1 January 1st, sometime after Christmas, to the best of my recollection.

2 Q Okay. So I just want to make sure I understand this.

3 A Uh-huh.

4 Q You remember first becoming aware that something was happening on the
5 6th from public media reports, but the first conversation that you remember having with
6 Ms. Wren about it specifically was the January 1st conversation at Mar-a-Lago?

7 A That is -- yes. That stands in my mind. But that doesn't mean that I didn't
8 speak to her or hear about it or have some discussion with her prior to that time.

9 Q Right.

10 A That is a memory that I remember, was January 1st.

11 Q And we were asking for your best recollection, so I appreciate that.

12 Can you tell us what you remember about the conversation at Mar-a-Lago. And I
13 know this sounds weird, but where you were sitting, who you were with, just the details,
14 if you could take us back there, what was that conversation?

15 A I can, in fact, because that's why I recall it.

16 So we were at the Beach Club at Mar-a-Lago. And as you face this way, it was on
17 the left-hand side of the pool where the yellow and white umbrellas are.

18 And I was having lunch New Year's Day with my fiancé. And Caroline Wren had
19 come up on the right-hand side by the pool, closest to the pool, and said hello and said
20 that -- I don't know what the first part of the conversation was, but at one point in there
21 she said, oh, there's going to -- you know, the rally, and also I see that, you know, Eric
22 Trump had tweeted about it or something to that effect, that he would be attending.

23 Q And just to clarify for the record, when you refer to your fiancé, is that
24 Donald Trump, Jr.?

25 A Yes.

1 Q I know that seems silly, but we just have to clarify it for the record. Just to
2 be respectful, do you have a preference? Don Jr.? Can we truncate that? Is it okay
3 to call him Don Jr.?

4 A Yes.

5 Q It just gets confusing with Donald Trump --

6 A Yes.

7 Q -- and Donald Trump, Jr.

8 Regarding the conversation, did Ms. Wren at that point in time tell you any details
9 about what she had been planning up to that point?

10 A No.

11 Q Did she mention any donors for the rally at that point?

12 A No.

13 Q Sitting here today, can you remember the first time that you remember
14 hearing the name Julie Fancelli?

15 A Well, no, because not -- what do you mean?

16 Q I think you know that the donor -- one of -- the donor for the funds for the
17 rally was a woman named Julie Fancelli. And what I'm trying to ask you is, do you
18 remember the first --

19 A Just to be clear, if I may correct you for a second. I don't know everybody
20 who gave money to the rally. I did not raise money for the rally.

21 I do know that I was told by Ms. Wren that Julie Fancelli gave money for the rally.
22 And I do know who Julie Fancelli is. She's a donor to President Trump.

23 Q So the piece in there where you said that Ms. Wren told you that
24 Ms. Fancelli had donated to the rally, do you remember the first time you remember
25 hearing that?

1 A No.

2 Q Okay.

3 A But it was I believe subsequent to that time, but I don't recall the exact date.

4 Q Okay. So you think you heard the name Ms. Fancelli as associated with the
5 rally, understanding that you knew her before that. You think the first that you
6 remember hearing that was at the Mar-a-Lago conversation on January 1st.

7 A Yes. But your prior question was -- the lead-in to this was when did I first
8 hear -- you know, Julie Fancelli, I know who she is because she was a donor to the
9 President. So I've known who Julie Fancelli is for several years.

10 Q And I understand you may have had prior conversations.

11 Do you remember when the last time you had a conversation with Ms. Fancelli
12 was prior to when you contacted her related to January 6th?

13 A Can you say that again?

14 Q Yeah. A moment ago you said, I knew Ms. Fancelli because she donated to
15 Trump.

16 A Yes.

17 Q What was the last contact that you had with Ms. Fancelli prior to any contact
18 related to the events on January 6th?

19 A Prior to any contact or contacts regarding January 6th?

20 Q So at some point in time, you had reason to contact Ms. Fancelli related to
21 the rally. But if I'm understanding --

22 A I never -- I never spoke to her prior to the rally about the rally or anything to
23 do with the rally. I've never had a conversation with her prior to the rally about the
24 rally.

25 Q Okay. So I want to come back to that.

1 A Yeah.

2 Q And let me try to ask my question.

3 A I know it's important to be specific on this.

4 Q I appreciate that. What I'm trying to get at is a moment ago you said, I
5 knew her from her donations to Trump previously.

6 A Yes.

7 Q Having nothing to do with the rally.

8 A Yes.

9 Q When was the last time that you had conversations with her about that?
10 Meaning when was the last time that you spoke with her prior to anything relating to the
11 rally?

12 A I do not recall.

13 Q Okay. But would you have said --

14 A You're asking me for, like, dates. I don't know.

15 Q That's fair. I was curious if you remembered at what point in time you last
16 spoke with her, but it's fine if you don't remember.

17 A I know that I spoke to her in regards to the Trump campaign and a donation,
18 you know, whenever.

19 Q Prior to the election?

20 A Correct.

21 Q Okay. And would you have said -- so you may be able to help us clarify this.
22 Some people use the term, this person is my donor, this person is their donor.

23 A Yes.

24 Q Would you have said that Ms. Fancelli was your donor or was Ms. Wren's
25 donor?

1 A I wouldn't know to classify it that way. What I know is, as the national
2 finance chair working for the President, they're all President Trump's donors. And if
3 they're President Trump's donors, they're my donors, because I am the key POC and
4 liaison and person responsible for donor relations.

5 So that's what I would do, is talk to the donors. I would call them for donations.
6 I would call them to check on them, see how they were doing, family-related issues,
7 happy birthday, you know, treat them very well like they deserve.

8 Q I think you know that we obtained your phone records.

9 A Yes, I read about it in the news.

10 Q And this is not content. This is just phone numbers --

11 A Sure.

12 Q -- contacting each other.

13 There's a call between you and Ms. Fancelli on December 31st.

14 A Uh-huh.

15 Q And I was just curious if you remember --

16 A Sorry. December 31st?

17 Q On December 31st, there's a call that you placed -- just one second. I'm
18 sorry.

19 Earlier --

20 A Is there something you can direct my attention to?

21 Q Yeah, I'm going to pull it up. I just want to make sure it's the correct one.

22 A Okay.

23 Q Is your phone number [REDACTED]?

24 A Yes, it is.

25 Q Okay. If we could pull up exhibit 23 really quickly.

1 Mr. Tacopina. Do you have a page number?

2 ██████████ Page 31. And give us a moment, because this is tiny and we just
3 have to zoom in.

4 So if you look at the bottom, I believe in your version there's hopefully highlights
5 to make it easier. But one of the highlights is a call with Ms. Fancelli on December 31st,
6 I believe around 2:29. And it's actually 10 seconds, so this may have been a voicemail.

7 But do you remember receiving a call from Ms. Fancelli on December 31st?

8 The Witness. Are you -- does this show she called me?

9 ██████████ It does.

10 Mr. Tacopina. Can you just indicate which line? Oh, there it is. Okay. And
11 the person initiating the call is the number on the far left?

12 ██████████ I believe that's how it works. I'm going to ask the CDR expert,
13 actually.

14 ██████████ So if I could -- if you go back, if you in the binder in front of you flip
15 to the very first page of the exhibit, you can see the column headings. There is a called
16 number. That's the number that's the receiving number.

17 CPN is an acronym that I don't know if this is exactly what it means, but I
18 remember it as call placing number. So the first column is receipt and the second
19 column is sender.

20 The Witness. So based on what your understanding is of how these logs work,
21 what are you saying, that she called me or I called her?

22 ██████████ I'm clarifying what the columns are. I think ██████████ has the
23 question on the --

24 Mr. Seigel. It looks like, according to your list here, the first number is the
25 number that's called?

1 [REDACTED] That's correct.

2 Mr. Seigel. And then the number that's placing the call is the second.

3 [REDACTED] That's correct.

4 Mr. Seigel. So, based on your chart, it would appear that this number that's
5 identified I guess as Ms. Fancelli called Kimberly.

6 Mr. Tacopina. Well, what is the column on the left, MSISDN?

7 [REDACTED] Yes. So, actually, based on the column numbers that were provided
8 to us by the phone company, called number is the number that was called, and CPN is the
9 call placing number.

10 So, based on these records, it indicates that the number [REDACTED] that we identified as
11 Ms. Guilfoyle's number is the call placing number, and the called number is Ms. Fancelli's
12 number. And that was on December 31st. It looks like it was 10 seconds, which likely
13 indicates a voicemail. So --

14 The Witness. So can we just simplify this. What does that mean, she called me,
15 are you saying, or I called her?

16 Mr. Tacopina. No, you called her. That's what they're saying. But my
17 question is, maybe you could guess, but does someone understand what MSISDN is?
18 This is a phone number under that column as well.

19 [REDACTED] If you'll notice, that number is the same number --

20 The Witness. Right. That's my number.

21 [REDACTED] -- indicating that those are the records that's related to
22 that individual.

23 The Witness. It's like ISDN, like an identifying tracking number too.

24 [REDACTED] Yes.

25 Mr. Tacopina. All right.

1 [REDACTED] So the relevant numbers, for the purposes of discussion, are called
2 number --

3 Mr. Tacopina. So the first column after MSISDN will be the number that was
4 called. The second number as we go down in pages where there's no, you know, index
5 will be the number that placed the call.

6 [REDACTED] Correct.

7 Mr. Tacopina. All right.

8 [REDACTED] And the SOU is seconds of use, I believe?

9 [REDACTED] Yes. It refers to the length of the call itself in seconds.

10 Mr. Tacopina. Okay.

11 [REDACTED]. And so while we don't know, there are certain times where you can
12 make a deduction that -- you could have a 10-second call, but more likely it's a voicemail
13 or something brief, possibly a text.

14 But the takeaway issue is, there was a call from you to Ms. Fancelli on December
15 31st, and I was curious if you remember placing that.

16 Mr. Tacopina. Ten seconds, correct?

17 The Witness. Yeah. I am -- I don't, as I sit here, have a personal recollection
18 that I called her on December 31st, but if it's on the call log from my phone, I mean, that
19 record speaks for itself. But I don't have a recollection of that call, and I do not recall
20 ever reaching or speaking to Ms. Fancelli.

21 BY [REDACTED]

22 Q Okay, and I appreciate that. That's fair.

23 Do you remember, with regard to the conversation that you had at Mar-a-Lago,
24 do you remember whether Ms. Wren said anything about Ms. Fancelli or her donating
25 funds for an event on the 6th?

1 A No, I do not.

2 Q At that point in time, on --

3 A That was a very short, quick conversation, like, hey, guys, hi, because we
4 were having lunch together, me and Don, our time.

5 Q Do you remember -- let me go back for a second. If you don't mind my
6 asking, how long were you at Mar-a-Lago at that -- or were you living there at that point?

7 A We were living there.

8 Q Okay. And do you remember how long Ms. Wren was there when she was
9 visiting?

10 A I don't even know that she was visiting or what she was doing.

11 Q Do you know if she was living there as well?

12 A No, she never lived at Mar-a-Lago.

13 Q Okay.

14 A People pass by, come and go, like me, stop by during the day, et cetera.

15 Q Do you remember her having a conversation while she was at Mar-a-Lago --

16 A Because it's a club.

17 Q Yes, ma'am. Do you remember being present with Ms. Wren while she had
18 a conversation with any of the rally planners, specifically one of the Kremers?

19 A Wren? No.

20 Q You don't remember? Okay.

21 A Can you ask the question again?

22 Q We can come back to that one in a moment. I'm kind of skipping ahead.

23 And so we'll just -- if we could table that, we'll just come back to it.

24 With regards to the rally itself --

25

BY [REDACTED]

1 Q Let me just ask one question about the call log.

2 A Yes.

3 Q For what reasons would you place a call to a donor, a December 31st call to
4 a donor like Ms. Fancelli?

5 A I really can't speculate, because I don't recall making that call and I know
6 that I did not speak to her.

7 Q Were you making calls to any other prior President Trump donors around
8 December 2020?

9 Mr. Tacopina. If you recall.

10 The Witness. No, I don't recall. I mean, I have a lot of friends that are donors
11 so -- but no, not in any donor capacity.

12

BY [REDACTED]

13 Q Did you previously, prior to January 6th, did you routinely speak with
14 Ms. Fancelli during the 2020 cycle?

15 A Prior to January 6th, did I speak to her during the 20 -- as in the --

16 Q The prior -- the previous 2 years.

17 A The election?

18 Q Yes, ma'am.

19 A Yeah. I spoke to her I know for sure on at least one occasion when she
20 made a donation to the President. Yeah.

21 Q Do you recall what time period that was?

22 A I really don't remember when it was, because I would do anywhere
23 between, you know, sometimes 80 calls a day. You've seen my phone logs. A lot of
24 calls.

25 But I do remember talking to her. She's a really nice lady. An older lady. And

1 she loves the President. And I know she made, you know, a lot of donations, meaning to
2 the campaign.

3 And I recall speaking to her on one occasion, reaching her, and she gave money
4 for the election. And that was the last time that I've got any memory whatsoever or I
5 ever solicited a donation from her.

6 Q And typically, when you reach out to a donor in your capacity, is that
7 typically because your staff has given you a list or otherwise given you a reason why you,
8 as the chair, should be reaching out?

9 A It depends. I have personal relationships with so many of these people
10 that I've known for so long from being in television and work that I've done. So I have,
11 you know, what would probably be considered in general a big Rolodex, because I know a
12 lot of people, because I've been in politics a long time, I am [REDACTED], old and, you know, I
13 know many people.

14 Q And did you have a personal relationship with Ms. Fancelli?

15 A I would say we had a cordial, sweet, like nice relationship, you know.
16 She's -- like I said, she's [REDACTED] old. She's a nice lady. I liked her. I thought she was,
17 you know, very pleasant. She was always very nice.

18 Q So is it fair to say or fair to infer that a reach-out that you would have done
19 would have been because she was a donor, not because you were otherwise personal
20 friends?

21 A I don't know that I would draw that distinction per se. I mean, why don't
22 you ask it a different way so I understand?

23 Mr. Tacopina. Yeah, I don't think --

24 [REDACTED] I'm trying to understand if, you know, the call records
25 indicate a call from you to Ms. Fancelli on December 31st, it seems like our appropriate

1 inference would be that you are reaching out to her as a donor in order --

2 The Witness. I think that assumes --

3 Mr. Tacopina. Hold on. Here's the problem. I appreciate your question.

4 But if she doesn't recall the content of the call --

5 The Witness. I can't speculate.

6 Mr. Tacopina. -- or even making the call, she can't speculate as to what the
7 purpose of the call would be, right? I mean, an inference is an assumption, really.

8 [REDACTED] Well, she can provide what her typical operating kind of
9 posture is when it comes to donors and why she makes calls.

10 The Witness. I think that would be overbroad, because I can't say that. No two
11 situations are the same. And I never solicited any funds for any rally, January 5th or 6th,
12 from Ms. Fancelli or any other individual whatsoever.

13 [REDACTED]

14 Q I think what [REDACTED] was getting at was there are a lot of
15 people that you have personal calls with, your fiancé, your friends.

16 A Yes.

17 Q And you may also have business dealings with them.

18 A Sure.

19 Q I think the question was, it did not seem like you had a personal relationship
20 with Ms. Fancelli outside of her relationship with you as a donor. So is it fair to say
21 that --

22 A I would say that's incorrect.

23 Q Oh, okay. So can you expound on that? It was our impression that you
24 had a donor-solicitee relationship. Can you explain what your personal relationship was
25 with her?

1 A That I liked her and I thought she was a sweet and nice lady. I didn't look at
2 her just as a donor.

3 Q Okay. So it's possible that the call on December 31st could have been a
4 personal call?

5 A I can't speculate on that, as I've already asked and you asked it and I
6 answered. I have no recollection actually of that call. So I can't tell you. I don't
7 recall.

8 Mr. Tacopina. But have you had calls with her that were outside the scope of
9 raising money, like how are you doing, of that nature?

10 The Witness. Yeah, talked to her. Hi. How are you? How's it going? How
11 are you feeling? You know, she was in Italy sometimes.

12 [REDACTED] Okay, thank you.

13 Really quickly -- you wanted to ask a question?

14 [REDACTED] Sure.

1

2

BY [REDACTED]

3

Q Ms. Guilfoyle --

4

A Yeah.

5

Q -- you were living at Mar-a-Lago during this time period. Is that right?

6

A During which time period?

7

Q Sorry. December 2020.

8

A Yes.

9

Q Did you spend the Christmas holiday there?

10

A Yes, I did.

11

Q And you were there through New Year's Eve. Is that right?

12

A Was I there like New Year's Eve? I was there New Year's Eve, yes.

13

Q It's my understanding that there's an annual New Year's Eve party at --

14

A Yes. It's my fiance's birthday.

15

Q You learn something new. I didn't realize that.

16

But it's my understanding that there is -- maybe it's a joint birthday party, New

17

Year's Eve celebration, but there's an annual party of sorts at Mar-a-Lago on New Year's

18

Eve, right?

19

A A New Year's Eve party, yes.

20

Q Now, during this time period it's been publicly reported that there were a

21

few figures who are of relevance to what happens later in January 6th, in terms of some

22

of the events, speakers, organizers, that kind of thing. You've already mentioned

23

Ms. Wren having been at Mar-a-Lago and you ran into her around New Year's Day.

24

Do you recall seeing Roger Stone at Mar-a-Lago in the days leading up to New

25

Year's Eve?

1 A No.

2 Q Now, President Trump did not attend that New Year's Eve party in 2020.
3 Do you remember that?

4 A I don't have a recollection if he was there or not.

5 Q Well, it was publicly reported that although the White House had announced
6 plans for President Trump and the First Lady to stay at Mar-a-Lago through New Year's
7 Eve, they left Florida ahead of time before that party and came back to Washington, D.C.

8 Do you know why the President and the First Lady came back to Washington,
9 D.C.?

10 A I do not, because I have no recollection as to whether they were present or
11 not. I've been to a lot of these.

12 Q Is it --

13 A We go to New Year's Eve at Mar-a-Lago. We do it, you know, basically
14 every year.

15 Q And how many years do you think you've gone to that party?

16 A Four maybe, approximately. That's my best guesstimate.

17 Q How many times has President Trump missed that party?

18 A I have no direct personal knowledge or recollection of -- I don't know.

19 Q But do you recall -- I'm asking whether you can remember specifically there
20 were parties that you went to on New Year's Eve at Mar-a-Lago that the President did not
21 attend.

22 A I don't know.

23 [REDACTED] All right. Thank you.

24

BY [REDACTED]

25 Q Ms. Guilfoyle, would you just return back -- earlier I believe you testified that

1 you first heard about an event that would occur on January 6th between Christmas and
2 New Year's.

3 A Again, to the best of my recollection. I don't have it time-stamped, but I
4 have a sense that it was around that time.

5 Q And then can you tell us again who you heard that from?

6 A I remember hearing about it or reading about it in the press, like seeing a
7 tweet or something that there was going to be a rally.

8 Q When you say a tweet, are you referring to President Trump's tweet?

9 A I don't have a recollection that it was President Trump.

10 Q Are you aware that President Trump tweeted about the rally on December
11 19th?

12 A He probably did.

13 Q And are you familiar with the tweet about, you know, be there, it's going to
14 be wild?

15 A I'm not, but if you'd like to show it to me, I can take a look at it.

16 Q But sitting here today, you have no recollection about a President Trump
17 tweet that was his first public statement about an event?

18 A I do not, no.

19 Q And I apologize, but we'll have to speak one at a time. Otherwise, the
20 record will look all jumbled.

21 So you don't have a recollection about a President Trump tweet about a rally on
22 the 6th as his first public statement about an event on the 6th?

23 A No, I do not.

24 Q And your testimony is that you heard about an event on the 6th sometime
25 after Christmas through media reporting. Is that correct?

1 A I just recall that around that timeframe -- I can't be more specific than
2 that -- I recall hearing that there was going to be a rally. But I read a lot of news and go
3 through Twitter feeds, and so it's quite voluminous. And I do not recall where I first saw
4 it or how many times I saw about the rally. I just know that I learned of it around that
5 time.

6 Q Did you have any discussions with your fiance prior to the media reports
7 about an event on the 6th?

8 Mr. Tacopina. When you say prior to the media reports, you mean prior to her.

9 [REDACTED] Her --

10 Mr. Tacopina. -- learning about it through the media reports?

11 [REDACTED] Yes. Thank you for the clarification.

12 Mr. Tacopina. Because the media reports could have been earlier.

13 [REDACTED] Yes.

14 BY [REDACTED]:

15 Q So post-Christmas, did you have any conversations from December 19th
16 through Christmas Day, the 25th, with anyone about an event on January 6th?

17 A Wait. First I thought it was about with Don Jr. Now you're saying with
18 anybody?

19 Q Yes.

20 A What was the timeframe? Because this seems a little overbroad, because
21 I'm not -- I don't want to answer something that I don't know.

22 Q Yeah. So let me clarify. President Trump tweeted out, I will proffer to
23 you, December 19th about an event on the 6th.

24 A Well, I'm assuming that fact because you're telling me that he did, but I have
25 no personal knowledge that he did. So --

1 Q Yeah.

2 A I'm going based on what you're saying.

3 Q Correct.

4 A Go ahead.

5 Q And Christmas Day is on the 25th. We can all agree on that?

6 A We can agree to that.

7 Q So -- and I understand that you learned from media reports about an event
8 on the 6th after Christmas is what you recall, correct?

9 A Again, to the best of my recollection, I don't know when I learned about the
10 rally. I eventually saw or heard something that there was going to be a rally. I don't
11 know what the first moment that I received, encountered, read, et cetera, that
12 information.

13 Q Do you recall when you first spoke to your fiance about an event on the 6th?

14 A I do not.

15 Q Do you recall whether you spoke with him about an event on the 6th in
16 December of 2020?

17 A Again, that's overbroad. I don't want to speculate to say, because I don't
18 know what date or what time or whenever. I mean, we live together. We have for 4
19 years. We talk all the time. But I don't have any recollection of when I first spoke to
20 Don Jr. or we had a conversation about it.

21 I do know that it came up I believe on New Year's Day when we were at
22 Mar-a-Lago. That is a recollection that I have.

23 [REDACTED] Okay. Thank you.

24 BY [REDACTED]

25 Q If we could turn to exhibit 1.

1 A Yes, I see it.

2 Q This is a --

3 A Exhibit 1, page 1, to be specific?

4 Q Yes, ma'am.

5 A Uh-huh.

6 Q I believe it may only be one page but -- yes.

7 A Yes.

8 Q So this was a document that you produced, and it looks like if you start at
9 the bottom that's the earlier email and then the top is subsequent replies.

10 But it looks like you produced an email that shows Caroline Wren --

11 A Uh-huh.

12 Q -- instructing somebody to put together two invoices to Turning Point Action,
13 one to Kimberly Guilfoyle for \$30,000 and the other for Donald Trump, Jr. for \$30,000.

14 And we'll talk about the rest there. But a moment ago you said you spoke --

15 A Ma'am, if I may, I want to just read this really quick, the little paragraph.

16 Q Oh, read from the bottom up and just let me know when you're done.

17 A Okay. Give me one more second.

18 Yes.

19 Q So a moment ago when we were talking, you had mentioned that you had
20 the conversation with Ms. Wren at Mar-a-Lago on January 1st.

21 A Yes.

22 Q It sounded, from what you said, to be very brief. And the next day
23 Ms. Wren is instructing somebody to put together these two invoices.

24 A Yes.

25 Q Can you tell us about the conversations that you had that went from a

1 conversation at Mar-a-Lago to please put together these two invoices?

2 A Yes. Okay. So here's what you guys didn't ask me, but this is what
3 happened when she walked by and told us about, okay, hey, look, Eric tweeted it. Okay.
4 Well, I guess we should go, because the President was going, Eric was going. And when
5 the family goes, we go.

6 So then we said, okay, we're going to go to this then. And we were going to be
7 in Georgia at the Senate runoff, rally, whatever you want to call it, and then flying back to
8 D.C. So we were already going to be here. So then that shaped our decision to go
9 ahead and show up and support the President, who was also his father.

10 Q That's very helpful. Can you -- the emails that you have here suggest that
11 the \$60,000 were speaker fees. And there are subsequent communications with
12 Turning Point, et cetera. Can we agree that those were speaker fees for you and Don to
13 speak at the rally?

14 A Well, we can agree that I read this email here, which is that it was an invoice
15 to myself and to Donald Trump, Jr. It says payable to Tru Media from Turning Point USA,
16 which is customary. Every time we speak or do events with Turning Point USA, Turning
17 Point Action, we are compensated to speak. That's ordinary course of business.

18 Q Okay. So, yes, they are speaker fees for speaking at January 6th?

19 A I cannot say that they're speaker fees for January 6th. We also spoke in
20 December at a Turning Point Action, Turning Point USA event student action summit.

21 Q Just give me a moment. We have a copy of the invoice that was created.

22 A Yes. And to be clear, I did not create the invoice.

23 Q Actually, we can talk about that first.

24 Do you remember who did create the invoice?

25 A Yes. To my recollection, it was Rebecca Karabus.

1 Q And who is that?

2 A She's a friend of mine that would sometimes help out. She's very good
3 with like typing and, you know, administrative things, making invoices. She's smart and
4 organized. And I was on the road all the time. She said, hey, thank you for all you do
5 for the country. If you ever need me to help, I can do some invoices or do some, you
6 know, bookkeeping or paperwork type of thing.

7 Q She didn't work for you, though. She worked for a company called Capital
8 HQ, correct?

9 A She was just my friend. I don't know what entities that she worked for.

10 Q Okay. You weren't aware at the time that she was working for your friend
11 Alexandra Preate?

12 A I know she had helped do stuff, yes, as well with Alexandra Preate.

13 Q Is it Preate?

14 A Preate.

15 Q Preate. Okay, I was mispronouncing.

16 A P-r-e-a-t-e.

17 Q Yes, ma'am. I just want to make --

18 A She's a friend of mine.

19 Q Yeah. I figured you'd know how to pronounce it and I knew I was
20 butchering it. So I was relying on you for that. Preate.

21 Did you at the time know that Ms. Karabus was working for Ms. Preate?

22 A I know that she had worked for her on and off, but I don't know the full
23 tenure or dates of her employment with her, because that would be beyond the scope of
24 anything I would be involved with.

25 Q Okay. And we'll talk about this, but while we have this exhibit up, if you

1 could look at the middle email where you respond. You say, "So actually, we're going to
2 go ahead and invoice for 60K to Tru Media. I talked to Don for Kimberly Guilfoyle
3 Donald Trump, Jr. for Wednesday, January 6th, and I will just 1099 him and I'll wire the
4 money so it's my Tru Media LLC and Chase Bank account number and routing and,
5 Rebecca, you have it. Thank you so much!"

6 A Yeah.

7 Q So I just want to ask pieces about that.

8 With regards to where you wrote, "I talked to Don," I'm assuming that's Don Jr. --

9 A Don Jr.

10 Q -- "for Kimberly Guilfoyle Donald Trump Jr." that's not an entity. Did you
11 mean just for both of us?

12 A Yes, that is correct.

13 Q And "for Wednesday, January 6th." So you were specifically identifying
14 that was for Wednesday, January 6th?

15 A That's what it says here, yes.

16 Q And did you, in fact, 1099 him for the funds that you received?

17 A I have no direct knowledge if that was to be done, because my accountant
18 would handle that. But, yes, that would be the intention.

19 Q Who is your accountant?

20 A I've had several accountants. We have a number of different accountants.

21 Q Do you know who your accountant would have been on or about January
22 6th, 2021, when this would have occurred?

23 A I'm not sure. There's several people.

24 BY [REDACTED]

25 Q How many possible accountants could there be at that time frame?

1 A There's also accountants that -- for Don, for me. So there's a lot of
2 different accountants, because we live together and --

3 Q More than --

4 A -- do a lot together.

5 Q -- five, less than five accountants?

6 A I can't speculate on how many.

7 BY [REDACTED]

8 Q You don't have any idea how many accountants you have?

9 A Well, because sometimes his accountants are involved with mine, and so
10 there's a whole bunch of accountants.

11 Q Well, I'm not particularly asking his. I'm just asking, can you remember
12 who your accountant was or how many accountants you had at this time?

13 A I don't know who my accountant was at that exact time. I know who my
14 accountant is now.

15 Q If you had instructed your accountant to wire those funds --

16 A Yes, anyone who would be -- no, no, no, no. I never instructed an
17 accountant to wire funds.

18 Q So let me go back for a second. For your accountant to wire funds to Don
19 Jr. from your account --

20 A Oh, to him from, yes.

21 Q Right. So a moment ago I asked you did you, in fact, do the 1099 to Don Jr.
22 And you said, I don't know, my accountant would have handled that. And I'm
23 paraphrasing.

24 A But it should be done. And, yeah, I don't know if it's been done. But yes,
25 it would be 1099'ed. We've done that before where we both go, we give a speech, he

1 gives a speech, and then it's sent to me. Then, as is customary and appropriate, I have
2 him 1099'ed.

3 Q Would your accountant have been able to do that without your direction?

4 A I really can't answer that. I don't --

5 Q Well, no, actually, most people are pretty aware of the control that their
6 accountant has over their money, because if your accountant could do anything with your
7 money, they could just take it.

8 A Right. Okay.

9 Q So usually accountants say, email me, tell me in writing to move this money,
10 for their own protection.

11 So if you had said to your accountant, whichever one, however many it was --

12 A Yes.

13 Q -- can you 1099 30K to Don, that accountant would usually have asked for
14 some record of that or would have wanted direction from you.

15 A Right. If I ask an accountant to do something, yes, I expect them to do it.

16 Q Okay. So sitting here, somewhere there's an accountant that you had that
17 may have wired that money -- or, excuse me, that issued a 1099 to Don.

18 A Right. But listen, I don't know who my exact accountant was on that date,
19 because when I was moving from New York to Florida then I switch and have a Florida
20 accountant.

21 So I know who my accountant is now. And I'm referring to that in general, an
22 accountant, my accountant, will 1099 Don and give him -- the money will be wired and, in
23 fact, then it's done proper.

24 Q There were communications with your banker at JPMorgan Chase that you
25 provided regarding checking on those funds. If you communicated with an accountant

1 to issue that 1099, that would be responsive to the subpoena, and we would ask that you
2 go back and search for any communications with an accountant to that effect.

3 A What are you asking for so I can --

4 Mr. Tacopina. It's a request we have.

5 [REDACTED] Your attorneys have it.

6 The Witness. I understand.

7 Mr. Tacopina. It's noted. We'll do it.

8 [REDACTED], just for a second. We don't have to break. I need to use the
9 restroom.

10 [REDACTED] No, no, it's fine.

11 Mr. Tacopina. I can run out if you just hold the questions for a minute.

12 [REDACTED]. It's better for the record to just recess briefly for 5 minutes and take a
13 comfort break.

14 [Recess.]

1

2 [11:11 a.m.]

3 [REDACTED] So we're back from recess.

4 Mr. Tacopina. [REDACTED], before we continue, I think there are just a few matters
5 that needs a little clarification. Do you want to just jump in? Regarding the names of
6 the account, because I think that was something you were asking, and I don't think she
7 understood you were asking that before, regarding the accountants during that time
8 period. So there's just --

9 [REDACTED] Sure. If there's something you wanted to clarify or --

10 Mr. Tacopina. Yeah, do you want to --

11 The Witness. So you were asking me do I know, like, or basically if I can -- who it
12 was on January -- I don't know if I had retained my Florida accountant on that exact
13 date -- and I'm referring to accountant in general as to whoever would be my accountant
14 to do that. My accountant is Don Dorra, D-o-r-r-a. That is my current Florida
15 accountant.

16 My accountant when I lived in New York was a man by the name of Jay Shulman.
17 There was a period of transition from State to State, where I was trying to get doctors,
18 accountants, manicurists, hair -- you know what I mean? You go through, you get
19 recommendations --

20 Mr. Tacopina. Top priority.21 The Witness. -- pediatricians --

22 [REDACTED] No, because colorist would've been at the top, I'll tell you right now.

23 The Witness. -- you know, dentists, orthodontists, you know, so. I think we got
24 four in-braces right now. So that's what happens, you make a transition. I can't tell
25 you what day I actually, quote, hired or retained, Don Dorra. He is my attorney. He is

1 preparing --

2 Mr. Tacopina. Accountant.

3 The Witness. I mean, yeah, my accountant. He is preparing, you know, my
4 returns, et cetera. That's who my accountant is now, and there was a period of time
5 where I kind of didn't have, for sure, somebody, because I was making that transition.

6

BY [REDACTED]

7 Q And just to be clear, we were -- I was less concerned about who your
8 accountant was and more --

9 A Okay.

10 Q -- to the -- whether Don Jr. had actually ever been 1099'd and received the
11 30,000, whether you, in fact, split it. We can talk later on about a number of emails
12 where there was a serious question of whether both you and Don Jr. had been paid for
13 speaking at the rally. And all I was really trying to ask was whether you, in fact,
14 remembered splitting the 60,000?

15 A Oh, I will tell you this: I recall, and I don't know how, but somebody said to
16 me, and I wasn't sure, because I looked it up or whatever, that money was sent from
17 Turning Point USA or Turning Point Action.

18 Q No, no -- yes, ma'am. We actually have records that show that Turning
19 Point sent money to Tru Media, LLC, and that you received the entire \$60,000.

20 A Yes.

21 Q The question --

22 A That's correct, that that is my recollection.

23 Q Yes, ma'am. The question that I was trying to get at is, in this email when
24 you say, I will just 1099 him --

25 A Uh-huh.

1 Q -- and I will wire the money, we were trying to figure out, did you ever, in
2 fact, 1099 and wire the \$30,000 to Don?

3 A I don't know.

4 Q Okay.

5 A I don't have personal direct knowledge that that has occurred. That is the
6 customary practice. That is what would happen, and that's what should happen if it has
7 not already. Does that make sense?

8 Q It does. At the end, when you added "That is the customary practice," it
9 sounds like you were saying, it would've been normal for the 1099 to happen and for him
10 to get his half. Is there any reason to think in this situation that it didn't follow the
11 normal course?

12 A I don't know if it's been done yet or not.

13 Q Okay.

14 A I'm still working on my taxes, and my accountant is preparing return --
15 Mr. Tacopina. No, wait. You don't have any personal knowledge, as you sit
16 here, whether it did happen or didn't happen, right?

17 The Witness. No, I don't.

18 Mr. Tacopina. Period. Boom.

19 BY [REDACTED]

20 Q And sitting here today, can you remember why, at the time, you preferred
21 the entire 60K to go to Tru Media versus the way that Ms. Wren outlined it in her original
22 email?

23 A I don't know where Ms. Wren's original email is.

24 Q So at the bottom of the exhibit, Ms. Wren writes, please put together two
25 invoices -- presumably to Ms. Karabus based on our conversation --

1 A Right. But that's how it should be, isn't it? It's, like, the two names are
2 written down on CW invoice.

3 Q Well, we're going to come to that, but what I'm asking you is, in your
4 response email of 20, 30 minutes later, you actually correct Ms. Wren and say, so actually
5 we're going to go ahead and invoice for 60,000 to Tru Media.

6 A Yeah. That's what we've done on a number of occasions. That's a
7 customary thing that happens.

8 Q Okay. So is it fair to say that you were correcting what Ms. Wren said to
9 what your normal practice was, which was sending the entire thing through Tru Media
10 and then 1099'ing Don afterwards?

11 A I mean it appears, yes, in that it would go to Tru Media and then 1099 him.

12 Q Okay. So we're trying to figure out, based on what you said, there's a little
13 confusion. Earlier you said we're sitting at Mar-a-Lago, we're having a conversation, she
14 says hi. That's January 1st. And on January 2nd, you're now getting \$60,000 to speak.

15 And I asked you earlier, but I don't think I understood, how does it go in a 24-hour
16 period to, I wasn't really that familiar with the rally, I saw Caroline Wren at the pool, and
17 now we're getting paid from Turning Point \$60,000?

18 A I did not solicit any speaking fees, nor did Don Jr. for January 6th. Caroline
19 Wren told me that Charlie Kirk and Turning Point Action was going to be paying us
20 because we were speaking. He was one of the people involved in the event, and I know
21 we had spoken at his event, Student Action Summit, in December.

22 And many times, he would make payment to us based on a number of different
23 appearances, which is -- I've been doing speaking events for him for 5 years --

24 Q Yeah. You --

25 A -- and I've always been paid for them.

1 Q You and Don Jr. have spoken quite a bit for Turning Point, correct?

2 A Absolutely.

3 Q And the speaker fees are pretty common?

4 A So this was totally customary, ordinary course of business, and oftentimes it
5 might encompass a number of different occasions. And, again, I did not prepare the
6 actual invoice, and so, this was just a quick email to reference and memorialize it
7 essentially.

8 Q But it's clear -- exactly. And it's clearly memorializing some agreement for
9 the \$60,000 speaker fees, and what we're trying to figure out is, how do you get --

10 A Because she, Caroline Wren, told me that Charlie Kirk was going to be paying
11 us 30,000 apiece from Turning Point Action.

12 Q Did she tell --

13 A And I did not solicit it, nor did Don. And this would be also something
14 customary that Ms. Wren would do and try to help out or say, Oh, yes, and by the way,
15 Charlie is going to pay you guys for this.

16 Q And when --

17 A And that was how I found out about it.

18 Q And just to be clear, is Ms. Wren telling you this at the pool during the
19 conversation --

20 A No.

21 Q -- or sometime between the pool and this email the following day, you had a
22 subsequent conversation?

23 A That's what appears to be what I'm seeing here, yes. But I don't have any
24 recollection of her ever bringing anything like that up at Mar-a-Lago.

25 Q Okay. So sometime between the chat at the pool at Mar-a-Lago and when

1 she sends the email the next day at 1:52 p.m., you have another conversation where she
2 said, Charlie wants to pay you \$60,000?

3 A Yes. I can't tell you when or what time, but common sense would dictate
4 that it would be sometime between seeing her at Mar-a-Lago and then this email.

5 Q Okay. And how does that conversation -- walk us through that
6 conversation, to the best that you remember, where Ms. Wren says, Charlie's going to
7 pay you \$60,000 to speak. Is it -- is it --

8 A I don't remember the specifics of it, but it was something to that effect, that
9 Charlie is going to pay you guys to speak. But I've probably heard that, you know, 50
10 times, you know. We speak, we travel, we go on the road, and we participate. I do the
11 Young Women's Leadership Summit. I do the Latino Summit. I do the Student Action
12 Summit. I speak, you know, multiple times a year at these student events. They're
13 very important to me.

14

BY [REDACTED]

15 Q So did you understand Ms. Wren to be involved with an event that Turning
16 Point was putting on?

17 A It was my understanding that Charlie Kirk was Turning Point Action, or
18 Turning Point USA -- I can't be specific about the entity but it's something like that,
19 depending on which event it was -- was one of the people putting on this event, yes.

20 Q And if I recall correctly, you said, when you spoke with -- when you were at
21 Mar-a-Lago --

22 A It wouldn't be unusual for us to speak at a Charlie Kirk event.

23 Q Okay. When you were at Mar-a-Lago on New Year's Day, and you run into
24 Ms. Wren, at that point, did you have any intention to go to D.C. for the event on
25 January 6th?

1 A Not until we were speaking to her.

2 Q Okay. So prior to Ms. Wren coming to talk to you during lunch, at that
3 point, you had knowledge of the event of the 6th. Is that correct?

4 A Yes.

5 Q But you had no intention to go?

6 A I didn't want to go, no.

7 Q Okay. And did you believe President Trump was going?

8 A I don't know at what point I believed or knew for sure he was going. I just
9 remember seeing it in the press that the President was going to be attending.

10 But there's a lot of stuff that's in the news and Twitter and the press, and you see
11 one thing, and then it's something totally different. So you can hear it, see it, and go,
12 okay, sounds like he's going, but it doesn't mean that, in fact, it's going to happen.

13 Q Sure, yeah. No. I'm sure you deal with that a lot.

14 A Yeah.

15 Q But I'm asking, you know, you're sitting with the President's son at the
16 President's beach club --

17 A Uh-huh.

18 Q -- and you're a senior adviser to the President. So --

19 A I wasn't a senior adviser to the President at that time.

20 Q Okay. You were someone in the President's orbit. Would that be fair?

21 A Family.

22 Q You're family. Even closer. So on January 1st, did you have any
23 knowledge as to whether President Trump was going to be attending an event on
24 January 6th that you did not get from the media?

25 A Oh. No. I can't -- I can't recollect that. I don't know what time frame,

1 what date, I can't timestamp that. Do I know then at that point? Yes. Oh, the
2 President's going to go because I recall her saying, oh, Eric Trump, Hey, your brother
3 tweeted, Don, that he's going to be attending this rally. So we said, oh, okay, family's
4 going so we should go.

5 Q Because what it sounds like is that Ms. Wren is, in a sense, informing you all
6 as to what's happening and that's spurring on your involvement?

7 A Yes. Because she told us that Eric Trump had tweeted -- did you all see
8 this -- Eric tweeted that he's going to the thing. And I said, oh, no, really, okay. We
9 take a look, and we said, okay --

10 Q Okay.

11 A -- I guess we'll go. And then we knew at that point that we were going to
12 be in Georgia -- I don't remember the exact day. I think it was -- was it the 4th for the
13 Senate? Right around that time. The 4th for the Senate runoff in Georgia.

14 And so we were going to be going there, flying back, right, to D.C. We got back
15 late that night. Then we were here the 5th. We didn't go to any rally. We didn't
16 participate in anything. And then on the 6th, we went over there.

17 Q But here's what I'm trying to understand --

18 A And then I left.

19 Q -- yeah, it appears that -- and I want to just make sure, because we're really
20 fact-gathering here, so we want to just --

21 A I understand.

22 Q -- be precise.

23 A And I want to do the best job I can to help you.

24 Q And we appreciate it.

25 A Yeah.

1 Q It sounds like if Ms. Wren hadn't come and spoke with you at Mar-a-Lago,
2 you may have not even have known what was happening on the 6th. I mean --

3 A No, no, no, no, no.

4 Q Help us understand.

5 A I already heard -- I had seen in the news, as I said to you, somehow, some
6 media source, that there was going to be this rally, okay, but we weren't going to go.
7 And then plans change, as they do. And so plans changed. January 1st was the date
8 that we said, Okay, I guess we'll go. But our plans change all the time.

9 Q But to understand, your plans changed because of your conversation with
10 Ms. Wren, correct?

11 A I would say that was a direct precursor.

12 Q And when Ms. Wren mentioned that Eric Trump had tweeted something,
13 was there any contact that Don Jr. or you made directly with Eric Trump without relying
14 on Ms. Wren?

15 A No.

16 Q Okay. When you heard from Ms. Wren that President Trump was going to
17 go to the rally, was there any contact from you --

18 A I didn't learn from her.

19 Q Okay.

20 A I have no recollection or knowledge that she told me --

21 Q Okay.

22 A -- that the President was going.

23 Q All right. So let's clarify that because -- I understood that you said -- when
24 you say that you understood that the family was going, you meant just Eric Trump?

25 A No. I meant that there were reports the President was going. Then there

1 was a tweet that Eric Trump put out, and she was showing the phone, Oh, you know, hey,
2 Eric is going to go. That's why I'm holding my hand like this. And we went, Oh, okay,
3 well, I guess we should go. We're going to be there in D.C. anyway. We'll stay, we'll be
4 supportive to the President, to his father, and Eric was going. Later we saw Lara was
5 there. [REDACTED], and, you know, that was it.

6 Q Were you going -- and so when you decided to go, were you going just in
7 support of the President, or were you going because it was -- you were going to get paid
8 for it?

9 A I was going in support of the President.

10 Q Okay. So you decide to go --

11 A The family went to support him.

12 Q Okay. Separate from any payment --

13 A Yes.

14 Q -- you talk to Ms. Wren. After that conversation on the 1st, you then
15 decide because you've learned through Ms. Wren that Eric Trump has tweeted that he's
16 going --

17 A The President's going.

18 Q -- the President's going, and at that time, you decide you were going to go,
19 separate from any kind of payment or any -- any benefit. You said you're going to go in
20 support. Is that all correct?

21 A That's correct.

22 Q So later that day, you then have another conversation with Ms. Wren --

23 A I don't know when I had a conversation with Ms. Wren.

24 Q Well, is it fair to say that if the next day there was discussion of payment for
25 services, there had to be more conversations between that initial Mar-a-Lago

1 conversation --

2 A I say it's fair to say from that --

3 Q Sorry, Ms. Guilfoyle --

4 A Sorry. Sorry.

5 Q -- you have to let me finish. So just -- I'm trying to just frame it. So you
6 had the conversation at Mar-a-Lago with Ms. Wren where you just learn that the family's
7 attending and you decide to go, and there's no discussion of you being paid. Is that
8 correct?

9 A That I recall? No.

10 Q Okay. And then the next day, on January 2nd, there's now a
11 discussion -- there have already been discussions about you and Don Jr. being paid to
12 speak at the event on the 6th, correct?

13 A Yes. You mean prior to this email?

14 Q Yes.

15 A So --

16 Q But --

17 A -- so from between Mar-a-Lago and the email?

18 Q Exactly.

19 A Yes. But I don't have a specific recollection of what time or how or
20 whatever that conversation. Something transpired and I recall her saying, Hey, Charlie
21 Kirk is going to pay you guys, et cetera, et cetera. But it didn't seem like anything
22 unusual because we get paid to speak from Turning Point USA, and we had spoken in
23 December.

24 Q And when you decided to go to the event of the 6th, did you think it was a
25 Turning Point event prior to deciding -- to this payments question coming up?

- 1 A Did I what? Pardon?
- 2 Q When you decided to go to the event on the 1st --
- 3 A Yeah.
- 4 Q -- on January 1st, did you, at that time, think it was --
- 5 A Wait. When I decided on January 1st to go to the event on the 6th?
- 6 Q Exactly.
- 7 A Uh-huh.
- 8 Q Did you understand it to be a Turning Point event?
- 9 A Yes. That it was -- Turning Point was involved in the event.
- 10 Q Okay. And then you had conversations, do you recall how many
- 11 conversations you had with Ms. Wren later that day?
- 12 A I do not.
- 13 Q Do you recall whether it was a phone call?
- 14 A I do not.
- 15 Q Do you recall whether you exchanged any emails of substance with
- 16 Ms. Wren?
- 17 A I do not.
- 18 Q Is it fair to say that then these conversations were not otherwise noteworthy
- 19 to you?
- 20 A Fair to say.
- 21 Q And then how did you get to -- we'll get to the 5th and 6th, but how did you
- 22 travel to D.C. for the 5th? Was that with the President?
- 23 A Yes.
- 24 Q Okay. So --
- 25 A Air Force One. Because we were in Georgia, and then we went from

1 Georgia back to D.C., and we spoke at that rally. I spoke, Don Jr. spoke, the President
2 spoke.

3 Q Okay. So my question is just -- and we'll get to that, but --

4 A Yeah.

5 Q -- for timing purposes, when did you set -- when did those plans to travel
6 actually come into place? When were those scheduled?

7 A I think the plan to travel obviously preceded the 1st, but I don't know what
8 exact date we were asked to go and go to the Georgia rally, but we are asked to go to
9 everybody's, you know, race, Senate runoff, et cetera, because we go and give speeches
10 and help them, you know, get the crowds out. That's what we do. Like I said,
11 sometimes six States in a day.

12 Q Sounds exhausting.

13 A Hard to keep track of, but yeah.

14 Q No, I -- I -- thank you, Ms. Guilfoyle.

15 A We just field a lot of requests. And then we take it in, and say, okay, with
16 our travel schedule, can we go? Yes, we're going to go support and do the Senate rally
17 in Georgia for the runoff. And then we did.

18

BY [REDACTED]

19 Q Were you paid for those appearances?

20 A I was not.

21 Q Was it --

22 A You mean for the -- let's be specific -- for the Georgia runoff, the Senate
23 rally?

24 Q Yes.

25 A No.

1 Q Are there certain circumstances in your mind, having done this, as you said,
2 several times, of the kinds of events where you would expect to be paid for appearing or
3 speaking versus the kind where you would not expect to be paid?

4 A Yes. Turning Point USA, or an actual, contractual, like, paid speech to, you
5 know, attend a group function, et cetera. But we don't get paid to go -- to show up to
6 pump up the crowd for a, you know, Senate runoff or a -- we go because we're patriots,
7 and we support these people, and we've developed relationships. And they ask for our
8 support, and we bring out the people. People come up and they love to come out and
9 see us and hear us speak.

10 Q You mentioned Ms. Wren talked about the tweet from Eric Trump on
11 January 1st.

12 A Yes.

13 Q Do you remember any conversation about whether Eric Trump would be
14 paid for participating in the event at the Ellipse on January 6th?

15 A No, I do not. But I don't recall him -- I don't know. To my recollection,
16 I've never -- have any knowledge of him speaking ever at any Turning Point USA, you
17 know, student event.

18 Q And I think you said that on January 1st, you don't know or don't recall
19 whether you knew if the President was going to be speaking on January 6th at that time?

20 A No. It was my understanding, but not my specific recollection of how I
21 knew, but that the President was going to be speaking on the 1st.

22 And that's why Eric was tweeting he was going to go and support him as well.
23 The tweet was, like, going to -- I don't know what the content was but something to the
24 effect of he was going to --

25 Q Can you recall any other events where you were anticipating President

1 Trump speaking and you were also expecting to be paid to appear or speak?

2 A I wouldn't -- I don't have any recollection of that. If you have something
3 specific to show me, I'd be happy to look at it.

4 Q I was just asking if there's other events like January 6th where the President
5 spoke and you also were being paid to appear or speak, that you can recall.

6 A During any time frame up to the present?

7 Q Yes.

8 A Yes. I get paid to speak at events that the President is speaking at, that
9 Don Jr. is speaking at, that are events, like, American Freedom Tour, something like that.
10 I mean, part of the way I derive income as a single mother, is I give speeches. Because I
11 don't make, you know, commission on raising funds, et cetera, et cetera, or financing. I
12 was just an employee. And I give speeches to make money to support my child.

13 Q Sure. And I'm just asking -- maybe I should also ask more specifically about
14 those kinds of events while President Trump was still in office. Do you recall other
15 events like that, where he was speaking and you were appearing?

16 Mr. Tacopina. I think she just mentioned one.

17 The Witness. I do not recall.

18 Mr. Seigel. American Freedom Tour.

19 The Witness. American Freedom Tour is subsequent to the President being in
20 office.

21 Mr. Tacopina. Okay.

22 The Witness. That's -- they're recent. And so I was specific as to up to this
23 present day because I thought, yes, actually, we do get paid. The President gets paid to
24 speak, I get paid to speak, Don Jr. We are sought-after, paid speakers.

25 . But as you sit here today, can you recall events like that, while he

1 was still in office?

2 The Witness. Yeah. I don't have any recollection about that, no.

3

BY [REDACTED]

4 Q If we could go back for a moment, what is the best recollection that you
5 have of when Don Jr. was first invited to speak on the -- at the January 6th rally?

6 A When he was?

7 Q Uh-huh.

8 A I have no idea.

9 Q You didn't have any conversations --

10 A No.

11 Q -- about anybody asking him to speak?

12 A Did I have conversations with him? No. I mean, I wouldn't know if
13 somebody asked him, like, I have no recollection, and I don't have any knowledge,
14 personal or direct knowledge of who, what, or when, if anybody mentioned or asked him
15 to speak.

16 Q At the time that Eric Trump tweeted that he would be speaking at the rally --

17 A Yes.

18 Q -- you had had no conversations with Don Jr. whether he would also be
19 speaking at the rally?

20 A I don't recall whether we did or we did not.

21 Q Okay.

22 A I mean, it's entirely possible, but I don't recall.

23 Q Do you know who Arthur Schwartz and Andy Surabian are?

24 A Yes, I do.

25 Q Who are those people?

1 A They're friends of ours. They also do communications and do stuff with
2 Don Jr., et cetera.

3 Q If somebody characterized them as advisers to Don Jr., would you agree with
4 that characterization?

5 A I would say they probably have multiple, you know, hats they wear,
6 meaning, they're our friends, and you could call them advisers, they do comms work,
7 et cetera.

8 Q And to be clear, they may advise a lot of other people, so I don't want to
9 make it sound like they solely advise --

10 A Right.

11 Q -- Don Jr. But if somebody said part of what they do is, in their role with
12 Don Jr., they serve as advisers, would you say that's a mischaracterization?

13 A I say that's probably a fair assessment of, you know, like, again, multiple
14 hats. I consider them our friends, so I don't refer to them as Don Jr.'s advisers. But
15 someone may say that, and if they say that, good for them.

16 Q Do you personally speak with them very often?

17 A You know, I don't speak with them very often, like probably as much as Don
18 does, but I've known Arthur a long time and known Andy for many years as well. But I
19 don't, like, Chatty Cathy on the phone all the time.

20 Q Do you remember speaking with Mr. Schwartz on December 27th, 2020?
21 This would have been 4 days before New Year's.

22 A What was it, the date?

23 Q December 27, 2020.

24 A Is there something you're going to show me?

25 Q Well, we can pull up the phone records. If it's okay to save time, I can just

1 proffer to you that --

2 Mr. Tacopina. Just tell us what it is and I'll verify --

3 [REDACTED] Yeah, you spoke -- it looks like you spoke with him for about 4
4 minutes.

5 Mr. Tacopina. What page? What page am I looking at?

6 [REDACTED] Page 28.

7 The Witness. Okay. That's -- I mean, Arthur's my friend, I talk to him on the
8 phone, yeah.

9 BY [REDACTED]

10 Q Well, you had no prior calls during the relevant time period. This was the
11 only one that we could find until later in January, I believe. So I was curious if you
12 remembered what you spoke with him then for 4 minutes?

13 A I have no idea.

14 Q And it's okay. Sitting here today, just --

15 A Yeah.

16 Q -- you know, is somebody that you didn't talk to a lot on the phone --

17 A Yeah, right.

18 Q -- so to speak. And so, I was curious if you'd had any conversations with
19 him regarding Don Jr. speaking on the 6th.

20 A No, not -- to my recollection, no. I had no idea. If it says I called him, I
21 called him, but --

22 Q Are you aware of any conversations that Don Jr. had with Mr. Surabian and
23 Mr. Schwartz in which they advised against him speaking on January 6th?

24 A I'm not privy to any of those conversations.

25 Q Okay. So if I could show you exhibit 26 --

1 A Sure.

2 Q -- this is not a conversation that you're a part of. This is a conversation
3 between Katrina Pierson and Arthur Schwartz. If you could look at page 1 --

4 Mr. Seigel. Sorry, which number?

5 ██████████ This is exhibit 26.

6 Mr. Tacopina. Tab 26, correct?

7 ██████████. Yes.

8 Mr. Tacopina. Okay.

9 ██████████. They should correlate, the exhibit number and the tabs.

10 Mr. Tacopina. Okay.

11 BY ██████████

12 Q So these are texts between Katrina Pierson and Arthur Schwartz, and as you
13 can see, but I'll just clarify for the record, Ms. Pierson's texts are on the right side, and
14 Mr. Schwartz' texts are on the left side.

15 And from the left side, the relevant text, I'm just going to read them briefly, start
16 on January 3rd. Mr. Schwartz says, why are we letting our people share a stage with Ali
17 Akbar and people like that?

18 Ms. Pierson responds, I'm so fucking pissed. Such bullshit. Then she says,
19 Nooooo.

20 Mr. Schwartz responds, This is so fucking retarded.

21 And Ms. Pierson responds, BTW -- I'll just suggest that stands for by the
22 way -- Boyle should've asked his organizer if they are on the permit, because he just
23 wrote a story about a speakers list given to him by someone who's not even on the event
24 permit, therefore, is not an organizer of the event.

25 And Mr. Schwartz response, sent this to Scavino.

1 Bless you.

2 And I'm just going to skip a little bit irrelevant text, but on January 4th,

3 Ms. Pierson says, We won.

4 And Mr. Schwartz responds, Oh, I heard. Rock star.

5 Ms. Pierson responds, That's literally 100 percent of the words that I
6 communicated to Don about this, and I haven't spoken to KG at all this week.

7 I'm skipping down to relevant texts.

8 Ms. Pierson says, I told her that I wouldn't get on stage on with Alex Jones.

9 Arthur Schwartz says, I don't know why she would want to.

10 So I just want to go back and ask you because --

11 A Yeah, I've never seen this before.

12 Q Oh, no, why would you. These aren't your texts.

13 A Yeah. Fascinating, though. Keep going.

14 Q But I do wanted to ask you, do you know somebody named Ali Akbar?

15 A No. Isn't that what terrorists yell --

16 Q No. That's actually the name of --

17 A -- Ali Akbar. No, I think it is.

18 Am I wrong?

19 Mr. Tacopina. I don't know. He's the only one that --

20 ██████████ I can't say whether that's --

21 The Witness. I do not know anyone named Allah Akbar.

22 BY ██████████ --

23 Q There's an individual named Ali Akbar who goes by Ali Alexander.

24 A Okay. I've heard of Ali Alexander.

25 Q But you are not familiar with the name Ali Akbar?

1 A I'm not.

2 Q Okay. And when -- and I'll come back to certain things, but when
3 Ms. Pierson refers to "we won" on January 4th, this is right after she -- I'm just positing
4 this to you so just so you have a frame of reference -- this is right after she had spoken to
5 the President regarding the President's wishes for who he wanted to speak.

6 A I don't know that.

7 Q No, no, I know.

8 A I don't have any knowledge at all.

9 Q I'm -- I'm saying -- yeah, we'll come back to that.
10 She says at 8:14 p.m., That's literally 100 percent of the words that I
11 communicated to Don about this, and I haven't spoken to KG at all this week.

12 Is it fair to say that KG there is you? I think earlier you said you frequently go by
13 KG.

14 A People call me KG ever since television.

15 Q Okay. And so is it fair to say there that she was referring to you?

16 A Where are you saying she's referring to me?

17 Q This is on page 2 in the middle, January 4th -- oh, excuse me. Apologies. I
18 created the confusion. This is actually Mr. Schwartz texting, That's literally a hundred
19 percent of the words that I communicated to Don about this, and I haven't spoken to KG
20 at all this week.

21 A Okay.

22 Q So I apologize, I created the confusion because Mr. Schwartz is responding,
23 saying that he had told Don effectively it seems that he's suggesting that -- well, I -- I
24 apologize, I caused the confusion. Mr. Schwartz was saying, that's literally 100 percent
25 of the words that I communicated to Don and he hadn't spoken to you.

1 So while he says that he hadn't spoken to you, did you have any conversations
2 with Don about any recommendations that Mr. Schwartz made to not speak on
3 January 6th?

4 A Not to my recollection, no.

5 Q Okay. And if we could turn to --

6 A I also just do not know what this is referring to. "I told her that I would not
7 get on stage with Alex Jones." I never had any conversation whatsoever about Alex
8 Jones or any con- -- is that referring to me?

9 Q That could've been referring to you or Ms. Wren --

10 A Yeah.

11 Q -- but sitting here, we wouldn't ask you to speculate --

12 A Exactly.

13 Q -- the "her" there.

14 If we could turn to exhibit 28, please.

15 A Can I have one second?

16 Q Just for reference, so that you know, the number that's identified, these are
17 texts between Mr. Budowich and Andy Surabian, just so that you have the number
18 identified. But if you want to take a moment to review them, we can do that.

19 The Witness. Also, I don't know if this is a good time or not, but I just want to
20 just go back to one of the questions, [REDACTED], that you asked. And you asked was there a
21 recollection of any time that we were paid to speak when the President was speaking.

22 Well, that was when the President was President of the United States, so he
23 wasn't taking any fees to speak. So now he gets paid to speak.

24 [REDACTED] Sure. And, yeah, and that was what I clarified.

25 The Witness. See what I'm saying? So I -- do I have any recollection -- I don't

1 think. And to my knowledge, I don't know, because I don't believe the President ever
2 gets paid to speak or compensated while he's President of the United States.

3 [REDACTED] Yeah, and I appreciate that. That's actually -- the question I was
4 asking was, while he was President, where he was speaking as -- while he's still in office
5 and you would have also been speaking or appearing --

6 The Witness. Yes.

7 [REDACTED] -- and being paid.

8 The Witness. Yes. Many times. Because every time we spoke at Turning
9 Point USA, the President would frequently appear at those events, and Don and I would
10 be paid every single time.

11 [REDACTED] Thank you.

12 The Witness. So, yes, this was the same ordinary course of business. And now
13 he's no longer President, and we continue to be paid for speeches that we give, and now
14 he has been hired for some speeches as well.

15 [REDACTED] Got it. Thank you.

16 The Witness. Just so I could be specific.

17 [REDACTED] I -- I really appreciate that.

18 The Witness. Yeah.

19 [REDACTED] Thank you. You've got a good memory to think about circling back
20 on that.

21 The Witness. Uh-huh, sure.

22 BY [REDACTED]

23 Q And actually, just because I don't have a good memory and I don't trust
24 myself to come back to it, if we could just tie -- there was a conversation when you were
25 talking with Ms. Wren at Mar-a-Lago. There were witnesses that allege that Ms. Wren

1 was on the phone effectively -- I don't know if screaming -- not screaming -- talking about
2 the speakers list with a woman named Kylie Kremer. And Ms. Wren represented on the
3 phone, I'm literally sitting here talking with Kimberly and Don. Do you remember her
4 taking any calls with you?

5 A Absolutely not.

6 Q Okay. So if there was a suggestion that you two were present with her
7 while she took a call, you would disagree with that?

8 A That's correct. This is the first I'm hearing of that.

9 Q Okay. And that's literally why we ask witnesses --

10 A But that doesn't mean she might not have said it to her on the phone if she
11 had a conversation with Ms. Kremer --

12 Q Fair.

13 A -- because people frequently use our names.

14 Q I totally understand that, and that's why we ask --

15 A Yes.

16 Q -- the question to make sure that that is, in fact, the case.

17 Turning back to exhibit 28, if you've had a chance to review it, this conversation
18 between Mr. Budowich and Mr. Surabian, Mr. Budowich -- I'm going to get this right this
19 time, I promise -- this is, in fact, Mr. Budowich --

20 A But isn't it Budowich?

21 Q Is it?

22 A Yeah.

23 Q Oh. We would actually appreciate any time -- we have been saying this
24 wrong for months. Is it Budowich?

25 A Uh-huh.

1 Q Good to know. Okay. Mr. Budowich. Is it Surabian?

2 A That's good.

3 Q Okay, good. Mr. Budowich says, Nutso, LOL, does she really think she can
4 hide from Trump? Ha-ha. Surabian clarifies, LOL, wait, is this KG, question question.

5 A Wait, what does it say? It's hard to read. What does this say? Nutso?
6 Mr. Tacopina. It's on the screen.

7 BY [REDACTED]

8 Q Actually, it's easier to read it on the screen. It's much more --

9 A Oh, sorry.

10 Mr. Seigel. It's right there if you look up.

11 The Witness. Yeah. Nutso, LOL, does she really think she can hide from Trump,
12 hahaha.

13 BY [REDACTED]

14 Q And then Surabian responds, LOL, wait, is this KG, question marks?

15 A Yeah, I don't know what that refers to or means.

16 Q Budowich responds Ya. And Surabian says, OMG she's so dumb, people are
17 going to notice this, and she's going to get lit up.

18 This is January 13th, 2021, just so you have a date reference. This is about --

19 A I don't even know what this refers to.

20 Q Well, that's why we're going to keep rolling and see if you do understand.

21 Budowich responds -- I believe he banner is Don's book -- he corrects it -- Her
22 banner is Don's book.

23 Do you know what he's referring to there in terms of a banner that was Don's
24 book?

25 A I have no idea.

1 Q Was it an Instagram banner or a Twitter banner?

2 Mr. Tacopina. What is a banner? I'm sorry.

3 [REDACTED] I think it's something that you would put on a web page --

4 Mr. Tacopina. Oh.

5 [REDACTED] -- like, behind -- like, you have a photo and there's a photo behind it.

6

BY [REDACTED]

7 Q Was there something that you were doing that was using a picture of Don
8 Jr.'s book?

9 A Well, Taylor Budowich is one of the people that would actually help manage
10 my Twitter, put stuff out, during the campaign, et cetera. So maybe he's referring to
11 something he put on my account.

12 Q Okay. And then Budowich, I believe in response to "the people are going to
13 notice" comment, says, I'd hate for that to happen.

14 And Surabian says, Honestly, we don't even have to do anything. Will happen
15 naturally.

16 Budowich says, hahaha. But I don't even know what she's talking about. Not
17 trying to be inflammatory with Don's book, LOL.

18 Surabian says, so bizarre.

19 A I don't even know what they're referring to. I don't even really think this is
20 referring to me, quite frankly.

21 Q Do you remember anything happening around January 13th regarding Don's
22 book or a banner that you were using?

23 A No, absolutely not. I just know that Taylor had, you know -- what do you
24 call it -- helped manage and access my Twitter to put out campaign stuff or do things and
25 change the header and things a couple times. Maybe that's what he's referring to

1 banner. But I have no idea, I don't even think they're talking about me, because I didn't
2 do anything with respect to the book except they asked me to put the banner up or
3 whatever the -- the photo.

4 Q We'll keep reading and it is clear that they're talking about you, but I just
5 want to clarify really quickly, did Mr. Budowich have control of your Twitter on
6 January -- on January 6th, leading up to January 6th?

7 A I don't know the exact dates or time. Half the time, we get locked out of
8 the account, have to reset the password. So I can't give you the exact day, times, you
9 know, time frame that he had access to Twitter or Instagram.

10 Q And actually, to your point a minute later he says -- Budowich says, I should
11 just put up a pic of her at the Stop the Steal Rally. So that sounds like he's joking about
12 putting a pic up on your Twitter account?

13 A I can't speculate about this, because I have no idea what this is referring to
14 quite frankly.

15 Q Okay. And then Surabian --

16 A This is the first I'm seeing this. I --

17 Q No, no, I know, I know. And I'm not asking you to speculate in the sense of
18 things that you don't know, but there are things that we just thought you might be able
19 to provide clarification on.

20 Surabian responds LMAO -- I believe that's laughing my ass off -- and then says, I
21 wonder if she regrets forcing herself on the stage.

22 And then Budowich responds, Forcing herself? Forcing everything Caroline
23 wanted. You know she screamed at Katrina, right?

24 Do you -- at this point, this is not referring to Caroline Wren because
25 they're -- everything sounds like they're referring to you here.

1 A I don't know. I mean, again, I have no recollection of this. I don't know
2 what they're talking about, so I can't speculate about it.

3 Q Did you --

4 A I know Caroline and Katrina had been fighting ongoing. I heard about that.

5 Q Do you remember screaming at Katrina Pierson?

6 A No.

7 Q Okay.

8 BY [REDACTED]

9 Q Did you have a strongly worded argument or anything of the like with her,
10 that could be perceived as screaming?

11 A I never screamed at Katrina. No.

12 Q What about an argument or disagreement that could be perceived as
13 excited?

14 A I mean, I just can't speculate on that. I don't recall ever screaming at
15 Katrina. I know that during the time when I was at the Georgia rally on the 4th, that I
16 believe -- and I don't know because I don't -- you have the phone record -- that we had
17 some conversations back and forth and some texts that got jumbled out of order. But
18 that was it.

19 And she was talking about that she was in charge of this event and who was
20 speaking, et cetera.

21 Q This is on the 4th?

22 A If that's the -- I think that's the day of the Georgia Senate race, if that's the
23 day -- the 4th is the day of the Georgia Senate race, then yes. Because I was waiting to
24 go back and speak, and we all get jumbled when the President's there because Secret
25 Service has everything scrambled. So you can't just connect or disconnect, text

1 messages don't go through, it's back and forth.

2 [REDACTED] If we could turn -- oh, did you have more questions on that?

3 [REDACTED] We can circle back to the substance of that conversation
4 later. I mean --

5 [REDACTED] You can do it now if you like.

6 BY [REDACTED]

7 Q I mean, Ms. Guilfoyle, you said this conversation you were referencing, it
8 was between you and Ms. Pierson. Is that correct?

9 A Pardon?

10 Q This conversation you're referencing was between you and Ms. Pierson?

11 A Yes.

12 Q And she called you or you called her?

13 A I don't recall.

14 Q And can you tell us --

15 A That's why I'm asking if you have the phone records, I have a --

16 [REDACTED] We can look it up, but it's --

17 [REDACTED] Yeah.

18 The Witness. -- recollection that I think we talked on the phone, were getting
19 disconnected, and then we were texting back and forth.

20 [REDACTED] And what was the substance of that conversation?

21 The Witness. She was talking about the event on the 6th. And I was waiting to
22 go up and speak, and she was talking to me about, Okay, well, who's going to speak, or
23 who's, you know -- and I was, as I always do, introduce, give a speech before Don speaks.

24 [REDACTED] And I'm sorry, I just want to interrupt. Is Ms. Lofgren still present?

25 I believe I missed that. I just wanted to note that Ms. Lofgren had rejoined the

1 conversation.

2 Ms. Lofgren. Yes, I'm here.

3 [REDACTED] Okay.

4 Mr. Tacopina. How could you tell that, [REDACTED], by the way? Is that based
5 on --

6 [REDACTED] We got --

7 [REDACTED] There's other people who are assisting.

8 Mr. Tacopina. Okay.

9 [REDACTED] Go forward.

10 Mr. Tacopina. Oh, there we are. Okay. I see it now. Have you turn it down,
11 the exhibit.

12 [REDACTED] And much like other things, we have smarter people helping us with
13 everything.

14 [REDACTED] You said she -- that conversation happens, and can you
15 tell us a bit about the substance?

16 The Witness. Well, are we going to finish this, and then we'll go to that?

17 [REDACTED] Yeah, we can come back to that.

18 [REDACTED] Yeah, let's table this, and we can finish this and come back
19 to the conversation. Yeah, that's fair, yeah.

20 [REDACTED] I appreciate that, but he was on a roll, and I hate to stop when people
21 are on a roll.

22 Q But going back to this exhibit just briefly, if we could turn to the end of -- to
23 page 3 at the bottom. Right there. So Mr. Budowich texts Mr. Surabian and says,
24 sounds like the -- I believe that stands for Wall Street Journal -- Sounds like The Wall
25 Street Journal piece Kat called you about is going to be about both Caroline and KG.

1 Mr. Surabian responds, I mean honestly, it really shouldn't be. CW was the one
2 running it, not KG.

3 A That's correct.

4 Q And he responds, KG will call CW demanding she take the bullet, LOL. Any
5 idea what he meant by that?

6 A LOL, he's laughing, laugh out loud, meaning, like, Caroline was the one doing
7 the event, not me.

8 Q And --

9 A -- and so why should I take responsibility for something I didn't do?

10 Q And Budowich responds, Sounds like KG was taking a lot of credit for the
11 donor --

12 A I don't see that.

13 Q It's right underneath. Sorry, we need to scroll down here.

14 A Okay.

15 Q There we go. And then it looks like a smiley face Emoji. And then
16 Budowich also responds, I just know what Katrina has relayed, though.

17 A Okay.

18 Q And then Mr. Surabian, in response to Mr. Budowich saying KG was taking a
19 lot of credit for the donor, says, As much as KG drives us crazy, her getting blown up, bad
20 for Don and heightens chance of someone mentioning your involvement, so should try to
21 kill.

22 Do you have any idea what Mr. Budowich's involvement was in the January 6th
23 rally?

24 A I have no idea.

25 Q Okay. And when she said -- excuse me.

1 A I don't even know if he was there. I have no recollection.

2 Q That's fair. When Mr. Surabian's --

3 A Do you know?

4 Q Oh, well, if we did, it wouldn't be pertinent.

5 A Well, I'm just asking.

6 Mr. Tacopina. Don't worry about it. We'll get the other question later.

7 [REDACTED] No, you're fine.

8

BY [REDACTED]

9 Q What do you think he meant that -- let's assume for a moment that KG there
10 refers to you -- when he says, Her getting blown up bad for Don, was it frequent for him
11 to kind of weigh in, in terms of things that might be good or bad for Don?

12 A I can't speculate about that.

13 Q Okay. You have no knowledge of his role as an adviser with Don Jr.?

14 A No. I already told you that he worked during the campaign as an adviser,
15 but I can't speculate about, you know, what he's saying here, with this.

16 Q Okay. So just to be clear, because I just want to finish this up --

17 A Yeah.

18 Q -- you never spoke with Surabian or Schwartz about their feelings about you
19 and Don speaking at the January 6th rally?

20 A I don't have a recollection of having a specific conversation with him. I
21 don't even know if I even spoke to Andy during that time.

22 Q And you don't remember Don Jr. ever having conversations with you about
23 what they advised him about?

24 A No, I do not.

25 Q Okay.

1 A But that doesn't mean they didn't have a conversation with him. And I also
2 have no personal knowledge of that.

3 Q That's fair. Earlier I believe you said something to the effect of, you were
4 hesitant to speak on January 6th. Others have actually characterized you as being
5 hesitant to speak and not really wanting to go to D.C. that day until Don agreed to it.
6 Would you agree to that characterization?

7 A Yes, I did not want to go to D.C.

8 Q Okay.

9 A But once we were already going to be in D.C., the right thing to do was to be
10 supportive to the family and the President.

11 Q Okay. So in his text, Mr. Surabian actually characterizes that you forced
12 yourself on the stage. Would you agree or disagree with that characterization?

13 A I would 1,000 percent disagree with that, and how would he know that?
14 Sounds like there's hearsay from Katrina Pierson that Mr. Budowich was referring to
15 there. I just know what Katrina has relayed, though.

16 Q That's fair.

17 A So this is Katrina Pierson, once again, creating problems.

18 Q And sitting here right now, to the best of your recollection, when do you
19 remember Don Jr. actually agreeing to speak on January 6th?

20 A On January 1st, when we said, Okay, I guess we'll go.

21 Q Okay. Do you remember discussing -- or so, so far, it sounds like you
22 discussed the speaking fees with Caroline Wren, because she mentioned the Turning
23 Point.

24 A She brought it up to me again. Don Jr. or myself never solicited a speaking
25 fee. She brought it to my attention, and said, Charlie Kirk is going to pay you guys.

1 But, again, we had done work for him toward the end of the year, in December, at the
2 Student Action Summit. So this was not anything that would seem out of the ordinary.

3 Q And regarding the speaking fees, did you have conversations about the fees
4 with Don Jr.?

5 A At some point, yes, but I don't recall when.

6 Q To the extent that you remember any conversation with Don Jr. about the
7 speaking fees, can you tell us about those?

8 A No. Because I don't have any recollection of any specificity right now.

9 Q Okay.

10 A Just that Charlie Kirk, Turning Point USA, was paying us.

11 Q Did you ever speak with Mr. Kirk about the fees?

12 A Not that I recall, no.

13 Q Did you ever speak with anyone at Turning Point about the fees?

14 A Not that I recall, no.

15 Q Okay. Did you talk with Mr. Budowich about the speakers' fees?

16 A Not that I recall.

17 Q And do you remember ever talking with Don's advisers -- Surabian and
18 Schwartz -- about the fee specifically?

19 A Not that I recall, no.

20 Q Okay. If we could, on January 5th, do you remember having conversations
21 with your personal banker, Mr. Suarez, at JPMorgan?

22 A Jose Suarez?

23 Q I think that's right.

24 A What date?

25 Q This would've been on January 5th. Do you remember emailing him?

1 A If you have it in front of you, if you can direct my attention to it.

2 Q Yeah. If we can pull up exhibit 5.

3 A Okay, great.

4 Q So if you start at the bottom, I believe this is the earlier email on January 5th,
5 and then the top email is Mr. Suarez' response on January 6th.

6 A Yes. So, okay, I'm reading the bottom part and then?

7 Q So do you remember contacting Mr. Suarez on January 5th regarding -- and
8 I'm just going to read the body of the email. Hi, it's Kimberly. Did 60K hit Tru Media
9 account?

10 A I don't, like, recall, but I see this email so, yes.

11 Q Do you remember why you would've emailed him on the 5th to check on
12 those funds?

13 A Oh, because he works at Chase, and that's where the bank account is.

14 Q And specific --

15 A He was like my -- you know, like, you have an investor, adviser, a private
16 bank, whatever it is.

17 Q Like a private banker?

18 A He was, like, my point of contact.

19 Q Okay. But do you remember -- were you concerned that the funds --

20 A And I had been on the road and I asked him, hey, did some -- you know,
21 that's pretty ordinary for me to ask him.

22 Q So it was pretty ordinary for you to check in with him to see if funds had hit
23 the account?

24 A Yes.

25 Q Okay.

1 A All the time.

2 Q And were you -- did you have specific concerns at that point why the 60K
3 hadn't hit the account?

4 A No, I didn't have any specific concerns, but what is customary is, you get paid
5 a portion of the speaking fee prior to whatever the planned event is.

6 Q Do you remember when the funds -- understanding you might not, but do
7 you remember when the funds actually hit the Tru Media account?

8 A I do not.

9 Q Okay. So you inquire on January 5th, and Mr. Suarez responds, Good
10 morning, Kimberly, I don't see an incoming transfer of 60K in Tru Media. When was it
11 sent?

12 A Uh-huh.

13 Q And if we could turn to exhibit 4 --

14 A Back?

15 Q Yes. Sorry. It's the one immediately before that.

16 A Sorry.

17 Q So you respond, I believe, that --

18 A Wait. So this exhibit, even though it's 4, the date is subsequent?

19 Q That's right, yeah. Sorry. They were -- they were put in reverse order.

20 A Okay.

21 Q This is after --

22 Mr. Tacopina. So one exhibit has multiple dates?

23 [REDACTED] I'm sorry?

24 Mr. Tacopina. One exhibit has multiple dates?

25 [REDACTED] Yes.

1 Mr. Tacopina. It goes for multiple days, so.

2 [REDACTED] Yes. Exhibit 4, Ms. Guilfoyle emails --

3 Mr. Tacopina. Right.

4 [REDACTED] -- on January 6th, saying -- I believe identifying the account number.

5 Mr. Tacopina. Yeah, okay.

6 [REDACTED] And then Mr. Suarez responds the next day on January 7 --

7 Mr. Tacopina. Okay.

8 [REDACTED]. -- saying, Good morning, Kimberly, I wanted to let you know that the
9 60k wire transfer arrived in the Tru Media account.

10 The Witness. Yes.

11 BY [REDACTED]

12 Q So this is the account, earlier I believe you said, oh, there's statements
13 somewhere that the 60k, in fact, that Tru Media -- this is what you were referring to,
14 correct?

15 A I don't know if I was referring to this because I actually didn't -- I don't
16 remember this, but, yeah, I see it now. But I know that I knew, at some point, that the
17 money was received.

18 Q And not the email per se. What I'm referring to is the fact that the 60,000
19 did, in fact, go from Turning Point to your account --

20 A Yes.

21 Q -- and it looks like it was on January 7th.

22 A That is my recollection as to, you asked me if I got paid, did it go through, my
23 recollection was, yes, that it was received, and then this email seems to back up what I
24 remember.

25 Q So the emails -- the emails between Ms. Wren and you and Ms. Karabus, I

1 believe, those are on January 2nd and 3rd when you were setting up the invoices. And
2 it's only relevant because on the 2nd and 3rd, you were submitting the invoices. Was it
3 your understanding that you would be paid before you spoke?

4 A I -- yes, that's what it appears from this document, that something must've
5 been communicated to me that, oh, you should be receiving that money.

6 Q Okay. And so --

7 A Which is why I was following up with the inquiry, like I said, which is what I
8 would usually do with my accountant --

9 Q Okay.

10 A -- I mean, my banker.

11 Q And was it common for you to be paid before you spoke?

12 A It's -- yes. It's customary.

13 Q Okay.

14 A At least a portion or the amount in its entirety.

15 Q Okay. And since that was the customary practice, you reached out to
16 Mr. Suarez, Hey, have the funds hit my account --

17 A Yeah.

18 Q -- prior to the speech? Okay.

19 And if we could turn to exhibit 3 -- and apologies, we are going back one more -- I
20 will posit to you that these are a bunch of emails that you are not on. So please don't
21 take the time to necessarily read all of them.

22 But if we could go to page 5, this is an email chain between a number of the rally
23 planners -- and you're welcome to see who's on the email chain and take a moment to
24 review. I'm only going to ask you a question about something that's on page 5. So
25 please just take a moment to skim.

1 You can see the general context of the conversations, and actually we'll start on
2 page 4. So the relevant portion, if you could read page 4, because I believe it goes in
3 chronological order from earliest to latest, from top to bottom on this one.

4 A Okay.

5 Right here.

6 Mr. Seigel. Uh-huh.

7 The Witness. Yep, go ahead.

8 Mr. Seigel. Make sure you saw it first.

9 The Witness. Oh.

10 BY [REDACTED]

11 Q So I'm just going to summarize page 4 just as background. So starting on
12 Sunday, January 3rd at 2:37, Ms. Wren is emailing Charlie Kirk, and I believe that's the
13 Charlie Kirk you've been referring to --

14 A Yes it is.

15 Q -- at Turning Point? And just I'm not going to harp on this, but for the court
16 reporter, just try to wait until we're done, so it doesn't overlap with each other.

17 A Sorry. Apologize.

18 Q But Ms. Wren emails Mr. Kirk, gives him a budget update, and says, Hey,
19 budget update. Below are the expected invoices from Event Strategies, Justin will send
20 to you. And then I've attached the invoice for Bluebonnet and then for Tru Media, for
21 Don/KG speakers' fees. There shouldn't be any additional expenses past this. Smiley
22 face. Thank you. Tyler has been very helpful and great to work with.

23 And then she lists invoices including two for Event Strategies, \$50,000 for
24 Bluebonnet Fundraising, and \$60,000 for Tru Media.

25 A Yeah.

1 Q Just really quickly on that, do you know who Bluebonnet Fundraising is?

2 A To my knowledge, that's Caroline Wren's Fundraising entity.

3 Q Okay. So it suggests that she's getting \$50,000 from this --

4 A I don't -- I don't have personal or direct knowledge whether or not she
5 received funds, but from the face of this document, it appears that she is requesting
6 50,000 be paid to her.

7 Q Okay. And the \$60,000 to Tru Media for Don/KG speaker fees, that's the
8 speaker fees that we've been referring to quite a bit, correct?

9 A It appears to be that, yes.

10 Q Okay. So then Mr. Kirk responds, You got it. He forwards the emails to
11 somebody, Can you work with Caroline to pay these? And then if you turn to the next
12 page, on page 5 --

13 A Uh-huh.

14 Q -- Caroline Wren is emailing the individual at Turning Point Action,
15 accounting@tpaction.com. Now, this is Monday, January 4th, at 1:55 p.m. Okay?

16 A Uh-huh.

17 Q Ms. Wren says, Hi, please see Bluebonnet and Tru Media invoices attached.
18 Could you please hold until tomorrow on paying Tru Media?

19 At this point in time you had agreed to speak, correct?

20 A Yes.

21 Q And it was your understanding when you were preparing the invoices on the
22 2nd and 3rd, that you were going to be paid before your speech, correct?

23 A Yes. And it looks like she's telling him to withhold it.

24 Q It does. Okay. So you would not disagree with our characterization that it
25 looks like she's instructing Turning Point to hold the funds?

1 A Yeah.

2 Q Okay. Did you --

3 Mr. Tacopina. I'm sorry, [REDACTED] but the speech on the 6th, right?

4 [REDACTED] That's correct.

5 Mr. Tacopina. So she's saying hold until tomorrow, which would've been the
6 5th, which is still before --

7 [REDACTED] Correct.

8 Mr. Tacopina. -- the 6th, right?

9 The Witness. Yeah.

10 BY [REDACTED]

11 Q But did you have any conversations with Ms. Wren about holding the funds,
12 or was it your understanding that she would be processing to try to get it paid as soon as
13 possible?

14 A I don't recall any conversation like that whatever.

15 Q Were you surprised that she asked that the funds be held?

16 A This is the first that I've seen this.

17 Q No, no, 100 percent. What I mean is, did you have any conversations with
18 her, or have any reason to think that the funds would not be paid, that there would be a
19 hold put on them until January 5th?

20 A No. All I know is that I was supposed to -- I was told -- this is my
21 recollection and my email supports that -- is that we would be paid prior to the event.

22 Q Was there a concern that you wouldn't speak?

23 A No, not -- not at all.

24 Q Okay. So there was -- so there was no hold because it was unclear whether
25 you were speaking or not?

1 A Absolutely -- as far as my recollection, no.

2 Q Okay. And so then, Mr. Greco, the accounting person, says, I processed an
3 ACH to Bluebonnet, and I should pay Tru Media on Tuesday, which, to Mr. Tacopina's
4 point, would've been January 5th.

5 A Right.

6 Q Caroline Wren doesn't respond until Wednesday, January 6th at 9:04 a.m.,
7 the day of the rally --

8 A Uh-huh.

9 Q -- and says -- actually, this is Mr. Greco. He says, Hi, Caroline. Please
10 confirm payment to Tru Media for 60,000. This is the day of the rally.

11 A Where are we now?

12 Q This is the --

13 [REDACTED] Same page, just --

14 [REDACTED] Same page, just scrolling down a little bit.

15 Mr. Seigel. Right here.

16 The Witness. Okay. It's just not highlighted.

17 [REDACTED] Yeah. Apologies.

18 The Witness. I got it.

19 BY [REDACTED]

20 Q It says -- so this is from Chris Greco to Caroline Wren on January 6th at 9:04
21 a.m. He says, Hi, Caroline, please confirm payment to Tru Media for \$60,000.

22 So this is actually the day of the rally, shortly before you were speaking.

23 A Yes.

24 Q Ms. Wren does not respond until 4:18 p.m. that day and says --

25 A And writes, Confirmed?

1 Q -- confirmed.

2 A Yeah.

3 Q So from that, it looks like she waited until after you spoke --

4 A Yeah.

5 Q -- to confirm the payment. Is that fair?

6 A No, I don't -- I think that's speculation. I can't tell you why she didn't do it,
7 or was unorganized and didn't get it done.

8 Q Oh, let me be clear. I'll just state the question differently. She does not
9 confirm this until on January 6th after you and Don have spoken, correct?

10 A Well, I guess what it appears in this email, confirmed Wednesday, January
11 6th, at 4:18 p.m.

12 Q Which would've been after --

13 A Yeah.

14 Q -- you and --

15 A Right. The document, I think, speaks for itself. It says confirmed and at
16 that time.

17 Mr. Tacopina. But [REDACTED]?

18 [REDACTED] Yes.

19 Mr. Tacopina. Can you just scroll up for a second? I understand your
20 questioning and you're reading that accurately, but she does earlier, I think January 4th,
21 right here, yep, Caroline Wren does say to pay the Tru Media invoice on Tuesday, January
22 5th, right? She's directing whoever that is, the accounting person, TP Action --

23 The Witness. To pay it.

24 Mr. Tacopina. -- to pay it on January 5th, right?

25 [REDACTED] Yes. So January 4th at 1:55 p.m. she absolutely says, can you hold

1 until tomorrow on paying Tru Media?

2 Mr. Tacopina. Right.

3 The Witness. Which would be Tuesday --

4 [REDACTED] Which would be the 5th.

5 Mr. Tacopina. Okay.

6 [REDACTED] When he emails, because he clearly has not yet sent it on the 5th, and
7 says, Please confirm payment, on the 6th, all I was asking was, she does not respond until
8 later that day --

9 Mr. Tacopina. Right.

10 [REDACTED] -- to actually confirm it.

11 Mr. Tacopina. Right.

12 [REDACTED] So it's just the timeline of confirmation.

13 Mr. Tacopina. Yeah, yeah, yeah. But I'm just saying from these emails, it does
14 appear that on January 4th --

15 The Witness. She's instructing him to pay.

16 Mr. Tacopina. -- there was an agreement that --

17 [REDACTED] Yeah.

18 Mr. Tacopina. -- payment should be made. Just the next day.

19 [REDACTED] No, no. And I understand that. If you're --

20 The Witness. It sounds like the accountant -- fine. It sounds like the
21 accountant for Turning Point Action, Chris, is delaying getting back, and then he reups it
22 and says, should I pay this? Yes, confirmed. But the instruction is for Tuesday, January
23 5th.

24 [REDACTED] And I can understand that right now, we only have so much of the
25 emails. So there's a question of what does it, in fact, mean and who did what. It was

1 really just objectively about the timeline of when the wires were being confirmed and
2 issued.

3 Mr. Tacopina. Okay.

4 [REDACTED]. So it's actually 12:12. This might be a good moment to pause unless
5 anybody has questions on anything that we've covered. And I do want to make sure
6 that we give the Members, to the extent that they're on -- I believe Mr. Schiff and
7 Ms. Lofgren -- I'm not sure if they're still on, actually -- just Ms. Lofgren.

8 Ms. Lofgren, are there any questions that you'd like to ask at this point in time?

9 Ms. Lofgren. No. Thank you very much.

10 [REDACTED] Okay. So given that it's 12:12 --

11 [REDACTED] Can I just --

12 [REDACTED]. Oh, absolutely.

13 [REDACTED]. -- just briefly before we --

14 The Witness. Yes.

15 [REDACTED]. -- leave the time period and the topic.

16 BY [REDACTED]

17 Q I just want to clarify, when Ms. Wren first raised her involvement with the
18 January 6th event to you at Mar-a-Lago, do you remember if she told you then who was
19 responsible for organizing the event?

20 A No, I have no knowledge of that.

21 Q Okay. Did she tell you who's idea the event was in the first place?

22 A I have no idea. I don't know whose idea it was.

23 Q Now, sitting here today --

24 A Yeah.

25 Q -- do you know whether Ms. Wren sought out Ms. Fancelli or vice versa for

1 purposes of providing funding for the January 6th event?

2 A I have no personal knowledge of that.

3 Q But you don't know -- did Ms. Wren ever characterize it to you about how
4 that interaction came to be?

5 A No.

6 [REDACTED] Okay. Thank you.

7 BY [REDACTED]:

8 Q Just on that same point, when Ms. Wren talks to you at Mar-a-Lago the 1st
9 of January, why Ms. Wren, when she's contacting you to potentially speaking, and you
10 speaking with her, you decide to travel to D.C. for this event. What did you think her
11 involvement was with the rally?

12 A That she was working on it, but I didn't know in what extent or capacity, but
13 that she was involved in it and working on it. And later to that, I saw that she was
14 involved in, I guess, organizing it and taking in the money or fundraising for it.

15 Q Did you understand that on the 1st of January, when you spoke with her at
16 Mar-a-Lago?

17 A You have to understand, it's been so -- let me, so you kind of get this layout
18 here. This is the pool, this is the street, and you come in here, and sometimes people
19 just pass by, because they come in, they're visiting someone, or there's a member or
20 somebody that they're -- I don't even know how or why she was there. I don't know
21 how she, per se, got in. You can't get in unless someone has invited you or you're
22 meeting someone for lunch, but sometimes, you know, she'll just come in. And then
23 there she was. And then she came up to us.

24 Q Okay. Just because that won't show up on the record, I think what you're
25 trying to reflect -- you have to say it out loud what you're trying to reflect.

1 A Yeah, it's just on the street. Like, you know, here's the street, people drive
2 by and honk and yell, Hey.

3 Mr. Tacopina. Maybe I can just summarize, there's a pool, and there's a street
4 next to the pool, and people pass by.

5 BY [REDACTED]

6 Q Is it fair to say -- are you trying to suggest that it was an incidental contact,
7 that this was not --

8 A Yes.

9 Q Okay. But as a result of that incidental meeting, what comes out of that is
10 that you, the President's son, decide to travel to D.C. for a rally, and the next day, you are
11 in discussions or an agreement to be paid \$60,000 to speak, right? So I guess what I'm
12 still trying to --

13 A Combined, yes.

14 Q Combined. What I'm trying to get more information on --

15 A Sure.

16 Q -- is that sounds like you're suggesting an incidental, casual conversation that
17 lacked substance, but that conversation seems to be the entire reason, the but for cause,
18 how you end up being speaker --

19 A I don't --

20 Q -- sorry, I have to finish -- before you -- how you end up being a speaker on
21 the 6th. So what would be helpful is to understand in this capacity --

22 A I'd say it was contributory.

1

2 [12:16 p.m.]

3

BY [REDACTED]

4

Q But remember, we have to -- I have to finish speaking.

5

6 So when Ms. Wren is speaking to you in this in this passing conversation,
7 understanding you have a relationship with her, who do you think in what capacity she's
8 speaking to you about this event that leads to you changing -- creating travel plans and
9 then becoming a speaker on the rally with the President of the United States?

10

A Just to correct the record, it didn't cause us to create travel plans. We
11 were already going to be in D.C. So then it was just a supplemental plan.

12

Q Okay. And you were going to be in D.C. for what reason?

13

A Because we were flying back with the President from Georgia on Air Force
14 One.

15

Q Okay.

16

A Then we would have to make our way to wherever we needed to go. And I
17 went immediately back after I spoke and we were done to Florida and Don had to go to
18 New York.

19

Q So at that time you understood yourself that you were going be in D.C. on
20 the 6th.

21

A Anyway.

22

Q But you did not know that this event on the 6th was one of such a -- was
23 going to include -- Eric Trump was going, the President was speaking.

24

Is it fair to say you didn't understand the scope of the event on the 6th before Ms.
25 Wren spoke to you?

26

A I didn't really know a whole lot about the event because I had nothing to do

1 with the event, except for showing up and speaking, which is customary for me to do at
2 events for the President or in my kind of dual capacity as family as well.

3

BY [REDACTED]

4 Q Prior to the conversation on January 1st, did you have conversations with
5 Ms. Wren just on the phone --

6 A Oh, I'm sure. Yeah.

7 Q -- in the few days before?

8 A We would regularly speak on the phone on a regular basis.

9 Q And none of those calls had anything to do with the donor for the January
10 6th event?

11 A I don't have a recollection as to the full content of any of the conversations.
12 But it's ordinary for me to speak to her on the phone. So it could have come up.

13 Q So if we could turn back to the phone record, maybe this will help. And I
14 know it's hard to remember calls over a year ago.

15 But if we could go back to the phone records. And let's start at -- it's exhibit 23.

16 A You have to understand, my main focus during this time was trying to find a
17 house for us to live, and it was, like, my full-time thing. We had to find a place to live, to
18 move, schools, six kids.

19 Q So if we could start at page 25, actually. This is the top of page 25.

20 So on the top of page 25, you have a -- what looks like a -- I'm going to say almost
21 a 10-minute call. This is in seconds. So when you take the seconds of use and divide it
22 by 60, that gives you the number of minutes that you spoke.

23 A Sure.

24 Q So on December 21st, you place a call to Ms. Wren and you talk for maybe
25 about 10 minutes. You don't have any conversations with Ms. Wren -- if you scroll

1 down -- you don't have any conversations with her for days. And you actually talk to
2 each other quite a bit. But you don't have any conversations with her during this time
3 period on the 22nd, on the 23rd, on the 24th, not even on Christmas, actually, on the
4 25th. Nothing on the 26th.

5 Nothing on the 27th until on the 27th, after she has just spoken with Ms. Fancelli
6 and has reached out to Budowich and said, hey, I've got a donor. Now there's a flurry of
7 calls on December 27th where she calls you on the 27th at around, I think, 5:10 p.m. for
8 about 5 minutes. You call her.

9 Mr. Tacopina. Wait. I'm sorry.

10 [REDACTED] We're at the bottom. There we go. Here we go.

11 So this is the 27th? So she calls you --

12 Mr. Tacopina. Where do you see 5:10 p.m.?

13 [REDACTED] Sorry. It's all the way at the left. And I'm going to ask my CDR
14 expert.

15 Mr. Tacopina. That would be 10:10 p.m., right?

16 [REDACTED] It's Universal. It's UTC. So you have to remove 5 hours.
17 You have to convert.

18 Mr. Tacopina. Okay.

19 [REDACTED] And just for ease of reference, just to be on the safe side, let's just say
20 it was some time on December 27th, because the time is, frankly, kind of like less relevant
21 at this point.

22 Mr. Tacopina. Right. Okay.

23 BY [REDACTED]

24 Q But it's after Ms. Wren has had conversations with Ms. Fancelli and has
25 already reached out to Mr. Budowich to say, we have a donor for January 6th --

1 A But I don't know any of that.

2 Q Exactly. But my point to you is you haven't talked with her for days and
3 then there's a flurry of calls right after she has the donor, and now all of sudden you're
4 talking back to back calls on the 27th. Two calls on the -- messages on the 28th. A call
5 on the 29th. So now you're actually speaking daily.

6 And so just with regards to those conversations, during all those times, there's
7 never a mention where she tells you that one of your huge donors is donating \$3 million
8 for the January 6th rally?

9 A Yeah. I don't know when she told me that Julie Fancelli was donating. I
10 do recall her telling me that Julie was giving \$3 million.

11 Q Okay. So it could have been before the January 1st Mar-a-Lago meeting?

12 A Yeah. It wasn't a meeting.

13 Q I'm sorry. When you met on January 1st?

14 A When we ran into her.

15 Mr. Tacopina. So, yes, it could have been, correct? It could have been before
16 that incidental run-in?

17 The Witness. Oh, yes. Yeah.

18 [REDACTED] And if we could scroll down to the bottom of page 31?

19

BY [REDACTED]

20 Q This is December 31st. And on December 31st, you've had two calls with
21 Ms. Wren at this point, one where she called you, one where you called her.

22 And then later in the day, so this would be about -- I want to say probably maybe
23 around 1 p.m., but at some time on New Year's Eve, this is when you have a couple calls
24 with Fancelli. Those may have actually been calls that went straight to voicemail or text.
25 Because you can see, they're very short. They're 3 seconds.

1 A Yeah. I don't recall ever speaking to Ms. Fancelli.

2 Q These were her actually reaching out to you. So this may have been texts
3 that she sent to you.

4 But then there's the call with Ms. Fancelli that you placed to Ms. Fancelli. And
5 then there's calls with Wren and Budowich on New Year's Eve.

6 And the one with Budowich where you called him is --

7 A I called him?

8 Q Now I'm going to -- yeah, no, you're right. I'm going to go back and check.
9 I was 90 percent sure, but -- yes. Called number, call placed number.

10 A Yes.

11 Q So called number is -- Budowich, place number, and you.

12 Mr. Tacopina. Yes.

13 The Witness. That's a Sacramento number. Yup.

14 [REDACTED] And so you have a call with him, and then immediately after you have
15 a call with Wren. And actually, this is -- she calls you.

16 So during this time, this is New Year's Eve, you're talking to both of them back to
17 back.

18 The Witness. What time is this?

19 [REDACTED] I want to say it looks like --

20 Mr. Tacopina. So almost 8 o'clock, and then 10 o'clock -- oh, no. I'm sorry.

21 No. No. No. Almost 8 o'clock, and then 8:04.

22 [REDACTED] Yeah. I believe that's right.

23 The Witness. Uh-huh.

24 Mr. Tacopina. So 7:57 it reads, and then 8:04.

25 [REDACTED] So my question is, you have these back-to-back conversations, and I'm

1 just curious if at this point in time both of these individuals are aware of the skirmishes
2 amongst event organizers that are taking place. And I was curious, do you remember
3 conversations both of them had with you regarding the rally on New Year's Eve?

4 The Witness. I have no recollection about that whatsoever because I was just,
5 you know, literally, Christmas, being with the family. I had gotten engaged [REDACTED]
6 [REDACTED]. This is when I got engaged. So that's probably the only thing that I
7 was really thinking about.

8 [REDACTED]: Okay.

9 BY [REDACTED]:

10 Q Ms. Guilfoyle, these conversations you're having with Ms. Wren, did those
11 involve conversations about the event on the 6th?

12 A I have no recollection of that whatsoever. Like I don't -- you're showing
13 that I spoke to them. I don't remember specifically speaking to them on -- I'm surprised
14 even Taylor's on there.

15 Q I'm not asking about -- let's put aside the particular times. I'm saying
16 generally, when you think back to late December, did you have conversations with Ms.
17 Wren or Mr. Budowich regarding January 6th?

18 A Not that I recall. Again, I had just gotten engaged that day. So that's
19 what I remember from that day. I don't recall, and I don't --

20 Q But I'm putting aside the specific day. But is the meeting or the incidental
21 contact at Mar-a-Lago then the first notable event in your mind as to having a
22 conversation with Ms. Wren about the 6th?

23 A I might have spoken to her prior to that time about it. She might have
24 brought it up. But the first is when I recall seeing her visually, physically, in person, and
25 her bringing up that Eric was coming. And by then I believe that the President was

1 confirmed to come, because that's why Eric was tweeting it. And that was it.

2 But it doesn't mean that I didn't speak to her prior to that occasion. I just can't
3 tell you when or the nature of it, what day.

4 [REDACTED] Okay.

5 [REDACTED] Do you any other questions on this? Are there any members
6 present?

7 Okay. Ms. Lofgren, if you don't have any questions, we're probably going to
8 recess soon for lunch. So I just wanted to give you a heads-up scheduling-wise.

9 Ms. Lofgren. Thank you.

10 [REDACTED]. Okay.

11 So at this point, we'll recess for lunch because it's a good stopping point to take a
12 break. I believe we're off the record now.

13 [Recess.]

1

2 [1:39 p.m.]

3 [REDACTED]. We wanted to ask you regarding some texts that you produced with
4 Ms. Pierson. This is labeled as exhibit 7. And apologies, this is actually the form that
5 we got it in. We couldn't make it any clearer. I don't know, it may have been
6 something with the processor you used.

7 The Witness. No. These aren't from me.

8 [REDACTED] This is from your production.

9 Mr. Tacopina. No. No. This is the company that we use, yes.

10 The Witness. That's what I'm saying. Yeah.

11 [REDACTED] So I'm going to do my best to read it. We'll zoom in. But these are
12 texts that you produced between you and Ms. Pierson. I believe they start -- good lord,
13 my eyes are terrible. Actually, they start on January 4th.

14 Mr. Tacopina. This is exhibit 7, right?

15 [REDACTED] Yes, exhibit 7, page 1.

16 BY [REDACTED]:

17 Q And the first text on January 4th, 2021 -- and I'm sorry, I can't read the time
18 on this. It looks like 6:45.

19 It looks to be a text from you to Ms. Pierson. And you state, "Did you tell POTUS
20 we weren't speaking?"

21 And then you text her, I believe, a minute later, "We are flying to D.C. tonight."

22 So was it your understanding that Ms. Pierson was meeting with the President
23 that day to discuss the list of speakers?

24 A I recall she said something like that, that she was going to meet or she had
25 met with. And then that -- I don't know -- what was the other one? Can you scroll

1 back?

2 Q The very first one says, "Did you tell POTUS we weren't speaking?" And we
3 had assumed that --

4 A I think that suggests that she met with him.

5 Q I mean, if that was your understanding --

6 A [Inaudible.]

7 Q Yes. It's your understanding that she met with him, and that you asked her
8 after the meeting, "Did you tell" -- I'm assuming POTUS stands for President of the United
9 States?

10 A Yes, it does.

11 Q "Did you tell POTUS we weren't speaking?" And I was just trying to ask you
12 what you meant when you texted that to Ms. Pierson.

13 A To the best of my recollection, I think I got a call or some kind of
14 communication from Caroline that said, oh, Katrina is doing the list, and she's telling the
15 President, going there to say who's going to speak.

16 Q Okay. So it was your understanding that Ms. Pierson was meeting with the
17 President to discuss speakers for the 6th?

18 A I don't have direct personal knowledge of it.

19 Q Right.

20 A I'm repeating what I was told.

21 Q Gotcha. And at that point you tell her a minute later, "We are flying to D.C.
22 tonight." And this was on January 4th.

23 So I think you mentioned earlier you were flying back from Georgia?

24 A Literally, when I was writing her that, I was backstage, okay, and that's
25 where -- when you travel with the President and Secret Service, your messages,

1 sometimes they don't go through. They scramble. It's disconnected. It's says not
2 delivered. And sometimes it takes hours till you clear that and like reset your phone for
3 things to go through.

4 But this is at the time that I'm at the Save the Georgia -- not Save
5 Georgia -- Georgia Senate rally, whatever the official title is, it was the runoff for the
6 Senate election.

7 Q Got it.

8 A And I was speaking. Don spoke. POTUS spoke.

9 Q Got it. And a moment -- well, actually, maybe a few minutes later. I'm
10 not going to lie, it's very hard for my eyes to see the time, so correct me if you have a
11 different understanding. But it looks like shortly after Ms. Pierson responds to you and
12 says, "No, ma'am. He literally just gave me his list today."

13 Was it your understanding from that text that she was referring to the President in
14 regards to what list he wanted for speakers at the rally based on that text?

15 A Is that right after that?

16 Q Yes, ma'am.

17 A 6:46? I received that text message. So I can't speculate as to what she's
18 meaning, but, no, ma'am, he literally gave he his list today.

19 Q I was asking what you understood her to mean by that.

20 Sitting here today as you read it, do you remember what you thought after you
21 read that?

22 A I thought that she's trying to say -- not whether I believed it or not, you
23 know?

24 Q Right.

25 A That he gave her -- I believe what she was writing is that he gave me his list

1 today.

2 Q Right. And so on the next page, on page 2, then Ms. Pierson texts you
3 again, I believe moments later, and says, "He only listed Don and Eric."

4 Is it fair to assume the "he" there being the President?

5 A Again, I would have to speculate that that is who she's referring to, but I
6 don't hold much weight or credibility with anything that she says.

7 Q That's fair. And let me just be clear because I want to address this for all of
8 them. I'm asking what you understood it to mean, like, when you were reading it, to the
9 best of your recollection --

10 A Right.

11 Q -- versus whether it was true not.

12 A Exactly. Yes.

13 Q So here, did you understand when you saw this, the "he" to be the
14 President?

15 A Yes. I think that she's trying to say he only listed Don and Eric,
16 saying -- suggesting him.

17 Q Right. And then you respond back, it looks like seconds if not minutes
18 later, and you say, "I don't understand." And then the next one says, "You aren't
19 speaking?"

20 Those seem fairly evident on their face, so I'm going to keep reading. And she --

21 A I'm saying to her, "You aren't speaking?" Like, question mark, is she
22 speaking?

23 Q Exactly. That seems self-evident.

24 A Yes.

25 Q Then if we scroll --

1 A And she did speak.

2 Q She did. So we'll scroll down to page 3, and she responds, "No, ma'am."

3 And then the next response is, "He said I could introduce the March for Trump bus
4 tour organizer."

5 At that point in time, did you actually know who the March for Trump bus tour
6 organizer was?

7 A No. I still don't know. Who is it?

8 Q Oh, it's one of the rally organizers. I just was curious if you knew at the
9 time that you received it, or even sitting here today, if you knew who it was?

10 A I still don't know.

11 Q Then you respond back to her, "I will see him in about an hour."

12 A Yes.

13 Q And then she responds --

14 A Because he was arriving at the rally, and we always speak in the
15 pre-program. And then there's a little bit of music, and et cetera. And then the
16 President arrives. And he is the last to speak.

17 Q Okay.

18 A So it goes me, Don, musical interlude, POTUS.

19 Q And at that point in time was it your intention to speak with him about the
20 speakers list?

21 A I don't know if it was my intention. I don't recall. But I know that I was
22 saying that I'm going to see him in about an hour, which is true.

23 Q Okay. And then at the top of page 4, there's a response from Ms. Pierson,
24 and I don't see any words, which may have been a thumbs up or some kind of reaction.

25 But then you respond and say, it looks about 20 minutes later, "Are you saying he

1 said no to me?"

2 Who did you mean by the "he" there?

3 A I'm thinking she's referring to the President, and I'm saying, "Are you saying
4 that he said no to me?" Because this didn't make any sense to me because I was always
5 speaking, I did speak, and I was on the list. So it makes no sense.

6 Q Okay. And then in the next --

7 [REDACTED] I'm sorry.

8 When you say the list, what list are you referring to?

9 The Witness. Meaning, I saw a written thing later, like in the press, it has my
10 name written on it, that I am speaking or that I spoke at the thing.

11 [REDACTED] And you saw it in the press or you saw it at the time?

12 The Witness. In a news report.

13 BY [REDACTED]

14 Q Are you talking about the January 3rd -- excuse me, the -- I think it was
15 January 3rd -- the Breitbart article that talked about the speakers that were --

16 A I don't know about whether it was that article or not. I remember seeing
17 like there was a picture, an image, and it had everything written in about who was
18 speaking.

19 Q I believe --

20 A And I had never seen that before. I guess I saw it, what, like a year later.

21 Q I believe prior to January 6th, I don't know, the only article that I'm aware of
22 that identified the speakers list prior to January 6th, and it listed you first as a speaker,
23 was the Breitbart article that came out --

24 [REDACTED] Just to clarify, Ms. Guilfoyle, are you saying the list you're
25 referencing is a list you saw after January 6th or prior to?

1 The Witness. I saw a thing where it had the people written in, and it had my
2 name on it.

3 [REDACTED] And that's prior to January 6th or after January 6th?

4 The Witness. I remember seeing my actual -- are you talking about the one that
5 had the writing on it?

6 [REDACTED] The speaker list, is that what you're talking about?

7 The Witness. That had like the handwriting on it?

8 [REDACTED] Well, I guess, just to clarify, you said you saw a list where
9 you were noted as a speaker.

10 The Witness. Yes. I've always been a speaker for that event, so that's why I
11 didn't understand.

12 [REDACTED] I guess what I'm asking, is the list you're referencing, did
13 you see that after January 6th or prior to January 6th?

14 The Witness. I think I saw a list prior to, but I'm referring specifically here that I
15 saw and I recollect seeing something that was like an image or maybe it was from a story.
16 If you have it, I could look at it. But I remember seeing that too, which backs up what
17 I'm saying.

18 BY [REDACTED]

19 Q Is it possible, since we can't see in the texts that you produced, is it possible
20 that what Ms. Pierson actually texted you was an image of the speaker list?

21 A No, I don't recall that.

22 Q Okay.

23 A No.

24 Q Okay. So you didn't say, "Are you saying he said no to me?" when she sent
25 you a list of speakers that you were not on?

1 A No.

2 Q Okay. And then --

3 [REDACTED] Did you have additional questions?

4 [REDACTED] No.

5 The Witness. And this is the time frame, just for your kind of, like, edification, is
6 that this is backstage. I'm waiting to go on to speak. And I believe -- but I don't have
7 my phone logs in front of me -- that she and I were back and forth on the phone and then
8 disconnected and then reverted to text.

9 BY [REDACTED]

10 Q I'm sorry, say that one more time.

11 A So I'm backstage about to go on and speak for the Georgia rally, right?

12 Q Uh-huh.

13 A And then we're -- I believe, my recollection, I could be wrong, is that she and
14 I were on the phone, I don't know if she called me or I called her or something, and then
15 disconnected because the calls do not go through. They do it for security purposes,
16 right? They scramble.

17 So it's a nightmare because you can't -- messages, you send them, they go in much
18 later, they don't go through, the whole deal. And then you'll see everything say "not
19 delivered" later, et cetera, et cetera.

20 So I believe, my recollection is that she and I were on the phone, and it was very
21 loud there, so you couldn't also hear, and then getting disconnected, and then going on
22 text.

23 But I don't know if you see phone calls that are contemporaneous. And also at
24 the same time, who knows at what point if these went in in the exact time stamp that
25 they're showing because of this exact same issue.

1 Q Okay. Well, we can check on that. For now we can keep going.

2 A That's my recollection, is the point.

3 Q No, and we appreciate that.

4 With regards to the texts --

5 A But some of my messages to her did not go through is what it looked like,
6 and then went through later, like, "not delivered" and then "resend." You know what
7 I'm saying?

8 Q Right. For these ones that you produced, it says, "Are you saying he said no
9 to me?" And the next one that you send, it looks like maybe 3 seconds later, it says, "I'm
10 only introducing Don, setting it up, and raised so much money for this, literally one of my
11 donors, Julie, at \$3 million."

12 A Yes. This is the 3 million that I'm referring to that Caroline Wren told me
13 that Julie Fancelli gave for the event.

14 Q So as you can imagine, there's been press, I think, that reported this text --

15 A Yes.

16 Q -- and actually, like, reported seeing it. And earlier --

17 A Because it was leaked to the press.

18 Q To be clear, do you actually know that, or do you have any -- I mean, when
19 you say that --

20 A Because ProPublica had called me, or called my lawyers, and saying, oh, we
21 have these text messages between you and Katrina Pierson. I didn't give it to
22 ProPublica, did I?

23 Q Okay. And I just want to be clear --

24 A Sorry.

25 Q No. No. I appreciate that. I just want to be clear because I don't think

1 we said this at the beginning, but we don't want to ask about conversations between you
2 and your attorneys. So just -- I know you're just alluding to that and you said you called
3 your attorneys, but it made me realize that at the beginning --

4 A Yes.

5 Q -- if it sounds like we're asking you any of that, we are not asking for
6 conversations --

7 A I didn't think you were. I was just saying we received a press inquiry
8 regarding these text messages.

9 Q No. I appreciate that. It just reminded me that we hadn't given that
10 instruction in the beginning.

11 So here you say, "I'm only introducing Don, setting it up, and raised so much
12 money for this."

13 Earlier when we spoke, you had said that you didn't have anything to do with
14 raising money for the rally on January 6th?

15 A That's correct. I did not have anything to do with raising money for the
16 rally on January 6th.

17 Q So can you help us understand the inconsistency between that and telling
18 Ms. Pierson that you raised so much money for this?

19 A Yes. Because I was, obviously, irritated with what I was hearing that made
20 no sense because I knew that I was speaking and I felt she was having an attitude. And
21 so I'm saying, wait a second, what are you talking about?

22 Because tangentially speaking, she is my donor. She's one of the donors for the
23 President. As the national finance chair for the campaign, I developed and cultivated
24 that relationship. So I still would refer to her as a donor or one of my donors. That's
25 how we speak in the fundraising business.

1 But I never had a conversation with Julie Fancelli about donating, giving any
2 money whatsoever, or any other donor for January 5th or January 6th, ever.

3 Q So based on what you just said, then is it fair to say that when you say, "and
4 raised so much money for this," you were taking somewhat the credit of the discussions
5 that Ms. Wren had had with Ms. Fancelli?

6 A Taking the credit of? I guess it's one way to put it. Perhaps you can call it
7 an embellishment, because I'm referring to the fact that Julie Fancelli is one of my donors.

8 Q Okay.

9 A And, yes, Ms. Wren is the one that raised the money and did the fundraising
10 for this.

11 Q Okay. And then let me just check one thing.

12 On page 5, if we could keep scrolling down, in response to your text Ms. Pierson
13 writes back, "All I know is that someone leaked a list of, quote, 'speakers' that the White
14 House had not seen or approved, so I had to get on a plane today in pain to go and sort
15 this craziness out. I submitted a list of everyone on it, including you and Don speaking
16 before POTUS per usual, and it came back very minimal. It's so frustrating because I've
17 never had so much interference."

18 Now, I want to be clear, I'm going to ask you questions about this. I'm not asking
19 what she was thinking. I'm asking what you understood her to mean when you got this.

20 Did you know what she was referring to when she said someone leaked a list of
21 speakers that the White House had not seen or approved?

22 A Yeah. This is what I thought that she meant. I think she's referring to
23 Caroline Wren, because they were fighting back and forth and they were both working on
24 this event together.

25 Q And when you say Caroline Wren and the leak, I'm going back to the

1 Breitbart article that talked about the list of speakers. Did you understand that
2 reference to be that leak?

3 A I hadn't seen that article or read it at that point. I don't know that that's
4 what it refers to.

5 Q Okay. No one had mentioned to you that in that article the first speaker
6 listed was you?

7 A No. I didn't see it.

8 Q Okay. And she said, "I submitted a list with everyone on it, including you
9 and Don speaking before POTUS per usual."

10 I think, consistent with what you said earlier, is that you and he used to speak
11 before the President quite often?

12 A Oh, that's how it works all the time.

13 Q Okay. "And it came back very minimal."
14 What did you understand her to mean by that?

15 A The list came back very minimal.

16 Q In the sense of very few speakers?

17 A I don't know.

18 Q Okay. And did you understand what she meant when she said, "It's so
19 frustrating because I've never had so much interference."

20 A Yes. I know that she and Caroline were arguing back and forth about who
21 was speaking, everything about the event.

22 Q And how did you know that?

23 A Because they were both complaining about each other.

24 Q To whom?

25 A To everyone. To everyone. Like, everyone knows they were fighting back

1 and forth.

2 Q When you say everyone, help us understand, like, is this like the Trump
3 orbit? Like everybody talks?

4 A I don't want to characterize it in like a weird way. I don't know. But like
5 anybody like we've been on messages and things today you've been showing me, sort of,
6 like, yeah, people who were, you know, involved, the same people that are always
7 around, right?

8 [REDACTED] Can you just be more precise, Ms. Guilfoyle?

9 The Witness. I don't really have the specific. It's just sort of like people -- I
10 don't remember exactly who said, oh, yeah, they're fighting, yeah, they're fighting. It
11 was just sort of one of those known things. It was like generally known that they were
12 arguing back and forth.

13 Think of it like, you know, turf wars and two girls arguing over who's running this.
14 I'm running this. So here's the list. I bet you, you leaked the list. You did this and
15 that. And it was just not pleasant for anybody to deal with.

16 [REDACTED]. And it seems like from what you're saying, and tell me if this is a
17 mischaracterization, but it sounds like a lot of people were very gossipy --

18 The Witness. Yeah.

19 [REDACTED] -- and talked frequently.

20 The Witness. Like "Mean Girls."

21 [REDACTED] I was going to say it, but wasn't sure if anyone would appreciate the
22 reference.

23 But it seemed like people were very backstabby, talking about each other
24 constantly, and gossiping about everything that was happening.

25 The Witness. Yes. I mean, we could see that from these things you showed

1 today.

2 Mr. Tacopina. So strange in politics that that would happen.

3

BY [REDACTED]

4 Q Well, especially with this group there seemed to be quite a bit of bitter
5 fighting in the organization of this. And it sounds like at least on some level you were
6 hearing this or hearing --

7 A Yeah, just hear people talking, et cetera. But, you know, I wasn't involved
8 in the event except for appearing and speaking. And so I don't also appreciate getting
9 dragged into it with their drama and their nonsense.

10 Q But people were clearly telling you about what was happening on some level
11 in the sense of the gossip that you were hearing.

12 A Well, and a lot of it I also heard after the fact, because after January 6th
13 there were articles and things written and people tweeting and writing, and it just
14 seemed like a mess.

15 Q So to be clear, and I want to make this really clear, we really only want to ask
16 you about things that you independently have knowledge of.

17 A Certainly.

18 Q Not that you've read in the press. So to the extent that you can sift out
19 things that you knew from reading it from reporting, that would make it useful.

20 A Right. It's hard after this, like a year and a half, to be honest, it's hard to
21 like sift through exactly what I saw or read on Twitter, locate that, and/or what I was told
22 or, you know, just passing conversation.

23 Q Just one second. Okay.

24 And if we could just keep going. So Ms. Pierson -- just a moment ago you said it's
25 so frustrating because I never had so much interference --

1 A I didn't say that.

2 Q Excuse me. You said that you understood Ms. Pierson to mean
3 interference from Ms. Wren?

4 A Yes, because Katrina had complained about Caroline. Caroline complained
5 about Katrina to me. Meaning, Caroline I remember called and was complaining and
6 Katrina's trying to do this and this. And I'm like, what? What is happening? And it's
7 loud. And I'm trying to do my job and get up and speak, and I have this nonsense going
8 on.

9 Q And then in the next text Ms. Pierson says, "Caroline made the list."
10 And then at the bottom, she then says, "I'm not sure what happened, but it's not
11 my place to argue with White House," frown face.

12 A It just doesn't make sense what she's even saying here. That's why I don't
13 even know what she was saying. Because she's saying that the White House did the list,
14 but now she just contradicted herself and said that Caroline made the list.

15 I have no idea because I don't have direct knowledge of who made the list.
16 That's the frustration here.

17

BY [REDACTED]

18 Q You know, this back and forth about the list, originally we talked about that
19 the reason you were asked to speak was because of Turning Point. Turning Point
20 suggested a request for you to speak or --

21 A No. I was asked --

22 Q Can you expand on --

23 A No. I was asked to speak and I spoke because I always speak at the rallies,
24 the events. I precede Don. Then the President goes on, as she even said, as usual.
25 It's the regular course of business, right? So that's why I was going to speak.

1 Then it was brought up to me by Ms. Wren, hey, Charlie wants to pay y'all to
2 speak from Turning Point Action for the event. And I didn't think that was unusual
3 because we always get paid for Turning Point USA events when the President speaks or if
4 he doesn't speak at the same event, as I was alluding to in your question, Kevin.

5 Q So you had agreed to speak prior to any discussion of payment?

6 A That is correct. And I would have spoken regardless of any payment, as I
7 did, Don did, Eric did, Lara did, supportive to the family.

8 Q So when did you understand yourself to be speaking prior to this discussion
9 about money?

10 A January 1st, when we said, okay, we'll go. It's not even a question because
11 we always speak. Like that's what happens.

12 Q But you've learned about the fact that it was worth you going from Ms.
13 Wren, from that conversation at Mar-a-Lago.

14 A I didn't know that it was worth me going. What I know is, is that Eric
15 Trump was going to go, so the family was going to be there, and the President was going
16 to speak.

17 So before that, people were talking about a rally, right, a couple days before, I
18 don't know, and who was confirmed to go. It doesn't matter unless the President's
19 confirmed to go, then that's a big deal. And then the Eric tweet was shown to us. And
20 that's the exact sequence of events, and that's how it went down.

21 And then I was told by her, hey, by the way, Charlie wants to pay you all. Oh,
22 okay. That didn't make any alarm in my head because Turning Point USA we get paid
23 from. I've probably been paid, you know, who knows, a large number of times.

24 I still don't know all the entities that were involved in this rally. I don't know. I
25 only know a couple of the names because I wasn't involved in it.

1 ██████████. But you have no reason to think that Eric and Lara Trump were paid
2 for their speech, do you?

3 The Witness. I don't believe that they were. But I have no direct or personal
4 knowledge as to whether or not they were paid.

5 ██████████. Okay.

6 BY ██████████:

7 Q What was your understanding of Turning Point's involvement in this speech,
8 in this event?

9 A It was one of the groups, I guess, supporting or promoting it, that was
10 helping to throw the event. But that's, again, my assumption based on what I believed
11 and thought at the time.

12 Q And where did you get your assumption from?

13 A Well, Turning Point was involved in it. They were helping to sponsor it and
14 work it.

15 Q I'm asking, you spoke to Ms. Wren about the event?

16 A Yes.

17 Q Is there anyone else you would have learned about Turning Point's
18 involvement from besides Ms. Wren?

19 A I don't know, but I know that she told me.

20 Q Okay. And did you understand that they were paying anyone else besides
21 you?

22 A I don't know.

23 Q Okay.

24 A But they usually pay me and Don. Like we don't -- that's just, again, it's the
25 regular, ordinary course of business.

1 [REDACTED] When that happened, did you usually have conversations with
2 Mr. Kirk about it?

3 The Witness. No.

4 [REDACTED] It just somebody got -- somebody paid you?

5 The Witness. Rarely. I mean, rarely, out of all the events that I've done for
6 him, maybe if we happened to be in the same place at the same time. He's very busy.
7 He's doing his stuff. I'm doing my stuff.

8 So the administerial things are not left, in a nice way I'm saying, to me and him to
9 go over. So I never actually spoke to Charlie about it. I just took her word for it, and in
10 fact, that was true.

11 BY [REDACTED]

12 Q And what led you to understand that Ms. Wren could speak for Turning
13 Point in telling you that you would get paid by Turning Point?

14 A She had a good relationship with him and had helped him with a lot of
15 events. You know, she's a fundraiser.

16 Q And not to belabor the point, but if you would have spoken for free, why is it
17 that -- someone's already doing something, it seems odd after the fact --

18 A Because --

19 Q I'm sorry, if I could finish?

20 If you were going to already speak for free, and I understand you had agreed to
21 speak and were going to speak regardless of any payment, and are then after the fact,
22 when you're already going, paid, it seems like an odd order of things.

23 So why would you be paid for something you already had agreed to do?

24 A But it's not odd because I'm always paid by Turning Point. I think I've
25 answered this many times. So to me, it didn't seem striking at all when then she said,

- 1 hey, by the way, Charlie wants to pay y'all. So, well, okay. Meaning, is what I was
- 2 thinking, okay.

1

2

BY [REDACTED]

3

Q Just real quickly while we're speaking on Turning Point?

4

A Meaning, we did not solicit getting paid to attend or show up, and whether

5

we were paid or not, we would have done it, just like we do a million times at the rallies

6

and events in campaigning across the country for the President.

7

Q Did Ms. Wren ever mention to you how much money Turning Point spent on

8

the rally?

9

A No. I don't know any of the finances of it. The first time I saw this was

10

today when you had the invoicing thing from her email.

11

Q And were you surprised that after Turning Point -- well, let me back up for a

12

second.

13

Do you know -- did you know whether Mr. Kirk was even there on the 6th?

14

A I don't even recall seeing him. I don't know. But again, I was backstage,

15

and it was freezing, and went up, gave my introduction, went down. And we left like

16

within seconds after the President spoke.

17

Q Would it surprise you --

18

A I didn't even hear his whole speech because we were all the way in the back

19

and I was warming my foot because I had just broken two bones in my foot.

20

Q Would it surprise you to know that Mr. Kirk wasn't present at the event at

21

all?

22

A I mean, I don't know. I think that's kind of speculative. I've never thought

23

about it.

24

Q No. No. I'm asking you, he did not go, would it surprise you to know

25

that?

1 A Not really. He's super busy.

2 Q Okay. And with regard -- I just want to turn back to the text and I'll just
3 finish this up.

4 A I don't know his schedule at that time.

5 Q Oh, no, that's fair.

6 A But I didn't really see that many people. We were in a Secret Service hold
7 like this with just the family in the back when POTUS was speaking.

8 Q Okay. I just want to finish up with this exhibit while we have it open.

9 So at the bottom, I believe there's a page duplicated twice when you gave it to us.
10 I think 5 and 6 are actually the same. But --

11 A Are they the exact time or is it a different time, because messages didn't go
12 through when they -- sometimes they go through twice. And I had some stuff like that.

13 Q They actually look like they're -- oh, no, they're not exactly the same.
14 You're right.

15 A Right. So this is what -- and producing should give you all of those because
16 it actually is showing on the conversation.

17 Q So it looks like on the next page, in between the text that she shows you
18 saying, "It's so frustrating because I've never had so much interference," on this page it
19 looks like there's a text in between her text -- her two texts -- where you say, "I'm in
20 Georgia speaking shortly after introducing," looks like, "Don after Vernon."

21 A Oh, I think it's probably a friend of Vernon Jones.

22 But this is exactly what I'm talking about. What happens is one message will go
23 through. One won't. Then it goes through resend. And then it disrupts the entire
24 order so it is not in sequence. And then some of the message you sent, you hit try
25 again, and it doesn't go through.

1 And eventually it does, this whole big long thing. But this is what happened
2 because I was backstage with Secret Service and the communications are cut for the
3 safety of the President.

4 Q Okay. And I appreciate the explanation.

5 On page 6, after the inserted text -- or after the interjecting text -- when Ms.
6 Pierson now responds, "Caroline made the list. I'm not sure what happened, but it's not
7 my place to argue with the White House," if you look at the top of page 7, you then
8 respond, "Yeah, and this the list we approved." And a minute later, you add "is," so I'm
9 just going to read it.

10 A What's the time here now?

11 Q It looks like January 4th.

12 A See what I mean? Because some of the other messages -- the one you
13 showed me previously had an 8 o'clock time stamp, and now these are coming and
14 sending out of order. And this says 7:37. This is why this whole chain was completely
15 out of order and a mess. It's very hard to like reconstruct it.

16 But I had no authority, official or otherwise, to approve, to put together, or
17 authorize any list whatsoever for this event. This was not my event. I didn't work for
18 it. I just actually showed up to speak.

19 Q But you were aware that Ms. Pierson was at least talking with the White
20 House or in some sense representing the White House in the planning of the rally.

21 A She told me that she was in charge of this.

22 Q Right. So she texts you -- and I'm not going to argue with the times
23 because I think the sequence is more what's important.

24 A Sure.

25 Q And at least we don't have any reason to think sequence is incorrect. So

1 when Ms. Pierson --

2 A But I do believe the sequence is incorrect because it's out of order. That's
3 why you have a 7:37 after an 8 o'clock after -- maybe somebody else put it together
4 differently.

5 But just to be clear, I can still answer the questions about them, but I cannot tell
6 you that this is the correct order that you're presenting them in.

7 Q Okay. Let's assume for a moment --

8 A Yeah.

9 Q -- that she says, "Caroline made the list, I'm not sure what happened, but it's
10 not my place to argue with White House." And you respond, "Yeah, and this is the list
11 we approved."

12 A "And this the list."

13 Q A moment later, you send "is" because you --

14 A Yeah. I don't know because it looks like this wasn't typing right.

15 Q Yeah. You correct yourself and say --

16 A Is.

17 Q -- "Yeah, and it is the list we approved."

18 So in that text to Ms. Pierson -- I'm sorry. We're scrolling and it's the one above.

19 A I know. I can't see.

20 Q It's easier to see it on the screen. We'll just leave it right here.

21 A "This is the list we approved." And then --

22 Q It says "is." So I've been reading this to assume -- you corrected yourself,
23 and it was meant to say, "Yeah, and this is the list we approved"?

24 A No. I think I mean to say, yeah, is this the list -- I don't know. Either "is
25 this" or "and this is." I don't know.

1

BY [REDACTED]

2

Q I guess the question is that, whichever way it is, it says, "We approved,"

3

right?

4

A Uh-huh.

5

Q What did you mean when you said that?

6

A I don't recall what I meant at the time, but what I do know is that I didn't

7

have any authority to authorize or put together any lists. As you see, this was her list

8

and her event.

9

Q Well, I think, respectfully, though, as we see, you say, "We approved." So --

10

A Yes. And we --

11

Q One second, Ms. Guilfoyle. It says here that, "We approved."

12

A Right.

13

Q So I can say that either you are misrepresenting what you did to Ms. Pierson

14

in these texts or you, in fact, saw yourself as in some kind of role of approving. It seems

15

on its face, though, you are saying that you were involved in the approval process.

16

A I'm not involved in the approval process. I was not. And that's totally

17

incorrect. I was never involved in any approval whatsoever about anyone speaking. I

18

still couldn't tell you who spoke at the event besides family. I was in the back. And I

19

know I spoke, Don, Eric spoke, Lara Trump spoke, and then the President spoke. I

20

wasn't even there for the whole event.

21

Q So then here, when you say this to Ms. Guilfoyle, are you misrepresenting

22

what your involvement appears?

23

Mr. Tacopina. Ms. Pierson.

24

[REDACTED] I'm sorry. Ms. Pierson.

25

Were you misrepresenting your involvement there to her?

1 The Witness. I actually don't know what I meant when I wrote that. I don't
2 know if I was misrepresenting my involvement or if I'm saying, and, yes, this is the list we
3 approved, like, meaning basically theoretically speaking, yeah, we approved this, and we
4 approved that we would speak, which is how it goes.

5

BY [REDACTED]

6 Q If you take a step back, Ms. Guilfoyle, for events like this, you said, and I
7 think it's fair to say that we all agree, you've been a public figure particularly with political
8 campaigns for a while now during the most recent administration.

9 A Yes.

10 Q Any time that you and Donald Trump, Jr., were going to be speaking at an
11 event, would you hope to have an awareness of who else was going to be speaking at
12 that same event before you agreed to appear there?

13 A Not necessarily. That really wasn't my thing. I mean, if we go and do an
14 event for a Senate candidate or a congressional candidate, usually at those it's me, it's
15 Don, and whoever the person is that's seeking reelection or seeking office, et cetera.
16 But I would not get into the micromanaging of a list for an event that I'm not doing.

17 Q But would it be fair --

18 A Meaning, that I'm not running or hosting.

19 Q Sure. I think I understand what you mean.

20 A Yeah.

21 Q But would you at least expect to be informed about who else would be
22 speaking at the same place that you were asked to be speaking?

23 A This wouldn't -- that wouldn't be the case here. It would not be the case
24 where I would have to give approval because I had no official capacity. It was not my
25 event, and I had no authority to decide who was speaking and who was not. That's

1 what the rest of them were arguing about, Katrina and Caroline.

2

BY [REDACTED]

3 Q Did you have any conversations with Don Jr. about the speaker list?

4 A I don't recall any specific conversations. It was just, like I said at the time,
5 reports of who's speaking, who's not speaking. There was just information like that.

6 But, again, there's not that much time between when we even said we're going to
7 attend this event and then actually the event occurring. It's a very short window during
8 a very busy time when we were campaigning in Georgia and running around.

9 Q But this was -- this event on the 6th was also, itself, a big event, correct?

10 A You know, it was fine. It was just kind of a normal rally like we do. We're
11 doing rallies for Save America now where the President speaks around at the different
12 locations. That's what we're doing right now.

13 Q Yeah. But the significance of this event was it was happening on the 6th
14 while Congress was going to be voting regarding the electoral votes. It wasn't just
15 another rally. Is that fair?

16 A I would assume that's why they chose that date.

17 Q You would assume, or you know?

18 A I don't know, because I wasn't an event organizer. It was my
19 understanding they had events on the 5th and 6th.

20 [REDACTED] And just to square that off, then, when you say in this text message,
21 it says, "the list we approved," whatever you meant one way or the other about what you
22 meant to convey to Ms. Pierson, you're saying that you never had any role in reviewing or
23 approving people who were proposed as speakers at the Ellipse event?

24 The Witness. That's correct. I had no official capacity, no role. That was not
25 my position, call, anything.

1 ██████████. And so just to be clear, I understand what you're saying about official
2 role, all of that. But even in sort of just informal brainstorming, people running names
3 by you, nothing like that ever happened?

4 The Witness. No one ever ran names by me as far as I know. I, again, still don't
5 even know who spoke at the event besides the immediate family that I remember. And
6 I wasn't present for the whole thing.

7 I mean, there might have been -- I know there was some talk -- and I believe I
8 received one message or email or text or something with some kind of list. But I don't
9 recall who was on the list or who would suggest it. I don't know, ultimately, who made
10 the final stage and who didn't.

11 BY ██████████:

12 Q If I could just go back before we finish with this one on the top of page 4?

13 A Meaning, prior to us speaking.

14 Q I'm sorry?

15 A I know when Eric, Lara, me, Don Jr. and POTUS spoke. That I can say
16 because I actually saw it. I don't know who took the stage before us.

17 Q I just want to finish with this exhibit.

18 So there's a text here that doesn't have any language, and usually this indicates
19 that it's either an image or some kind of a reaction.

20 Earlier you had said that you remembered seeing a speakers list that had
21 handwriting on it, like an image that had handwriting at the top. Do you remember
22 talking --

23 A Yeah, but I don't think it was then. I think it was after the fact in a more
24 recent press story. And I remember seeing, like, my visual is of seeing my name,
25 Guilfoyle, written somewhere.

1 Q Okay.

2 A And I think it was -- they said, like, oh, a list from the White House, and it
3 had handwriting. Like nothing I had in my possession, but when you read and click and
4 you read stories. And I thought there was like an image, but it was after the event, I
5 think, pursuant to a story written about this congressional investigation.

6 Q And going back a moment ago when we were talking about conversations
7 that you had regarding the speakers, do you remember having any conversations with
8 Ms. Wren regarding who would be speaking at the rally on January 6th?

9 A Yeah. She said that Katrina was deciding who was going to speak, but they
10 were both arguing back and forth about it.

11 Q And do you remember Don Jr. ever reviewing a speaker list prior to January
12 6th?

13 A No.

14 Q If we could turn to exhibit 6, please.

15 So this is a text message from Caroline Wren to Don Jr.

16 A Oh, I didn't know she texted him.

17 Q So on [REDACTED] to your point
18 earlier.

19 A Oh, yeah.

20 Q "Give Kimberly a kiss for me."

21 He says, "Will do. Thanks."

22 And then if you scroll down, on January 2nd at 7:35 p.m., this is an image of at
23 least that time what Ms. Wren either believed or was advocating for a speakers list.

24 And if you scroll, if you -- not scroll, but if you zoom out just a bit, you can
25 probably see the entire thing. But it starts with Kylie Kremer. I can't even read it, if I

1 look at this list. And then --

2 A It says January 2nd prior to the event. So it's what appears to be a speaker
3 list that was being circulated.

4 Q Had you seen that speaker list before January 2nd, 7:35 p.m.?

5 A I don't recall.

6 Q Do you remember whether Don Jr. said anything to you after he received
7 that speaker list on January 2nd?

8 A I didn't even know she texted him or sent that.

9 Q He didn't mention it to you at all?

10 A No. This is the first time I'm seeing this.

11 Q I gathered that from what you said a moment ago.

12 A Yeah.

13 Q Okay. Did you ever have conversations with -- so, do you see in the Stop
14 the Steal, it says Ali Alexander?

15 A Yes.

16 Q And then, I believe, if you scroll down -- oh, no, it says Roger Stone.

17 A Uh-huh.

18 Q And then if you scroll down, there's segment 3, and there's segment 4, and
19 then there's segment 5, the Women For America First group?

20 A And this, to my knowledge, these are the people, the Women For America
21 First, that were running as well and throwing this event.

22 Q Okay. That was your understanding who the organizers were?

23 A Yeah. I remember Amy Kremer and Katrina. Yeah. That's the order in
24 which we spoke. Eric Trump introduced me, and then I went on, and then Don.

25 Q Yeah. So if we could scroll back up to the --

1 A I don't know about the rest of the people.

2 Q If we could scroll up to the Stop the Steal segment. So do you see where
3 she writes Ali Alexander, Bernie Kerik, Brandon Straka, Scott Presler, and Roger Stone?

4 A Yeah.

5 Q Are there any names there that you are unfamiliar with?

6 A Yes. I don't know who Scott Presler is. That does not ring a bell to me.
7 Brandon Straka, I know who he is. I don't remember. I just know that I know that
8 name. And then Roger Stone, I know who he is. I know who Bernie Kerik is. And Ali
9 Alexander, I had no idea who that guy was, but now I know who he is.

10 Q Did you ever have any conversations with Ms. Wren as to why she was
11 advocating for Mr. Alexander and Mr. Stone to speak on the 6th?

12 A No. I don't recall that whatsoever, and I don't even know if they spoke or
13 not.

14 Q Earlier I had mentioned a couple of times there was a Breitbart article on
15 January 3rd by an author named Matt Boyle, I believe.

16 A Yes. I know who that is.

17 Q And earlier you referenced a leak that Ms. Wren made?

18 A I didn't reference it. It was referred to on one of the documents you
19 presented.

20 Q Oh, in the Pierson text. That's right.

21 A Or one of them.

22 Q Let's assume for a moment that Ms. Wren was the source of the leak and
23 provided the names of the speakers. I just want to read to you a piece of the article.
24 And just, rather than pull it up, just trust me on the excerpt.

25 It says, "The President is expected to deliver remarks beginning at around 11 a.m.

1 He will cap off an event at which several other high profile names, including Kimberly
2 Guilfoyle, Amy Kremer, Rudy Giuliani, Katrina Pierson, Boris Epshteyn, Texas Attorney
3 General Ken Paxton, My Pillow CEO Mike Lindell, Diamond and Silk, Georgia State
4 Representative Vernon Jones, Roger Stone, Benny Johnson, Scott Presler, Bernie Kerik,
5 and Ali Alexander, are all among those expected to speak, per a source involved in the
6 matter."

7 That list matches up with the list that Ms. Wren sent on January 2nd. But are
8 you aware of any conversations that Don, Jr. had with Mr. Boyle regarding taking down
9 that article, pulling it down, because he was upset?

10 A No.

11 Q You never had any conversations with Don, Jr. about that?

12 A No.

13 Q Okay. He never mentioned any --

14 A Is someone saying that happened?

15 Q If somebody were saying that that happened, would you say that was not
16 true?

17 A No. I would say I have no knowledge of it. That's the first I'm hearing it.

18 Q And you never talked to Don Jr. about that article?

19 A No, I did not.

20 Q And did you ever have any conversations with Caroline before or after it
21 came out about the article?

22 A I never even read that article.

23 Q Okay.

24 A This is what I think Katrina's referring to, that she thinks Caroline --

25 Q Leaked the list?

1 A I'm reading the -- but I'm extrapolating and based on what I'm seeing here.

2 Q I think that's a fair --

3 A You asked me what would my opinion be. It's not my personal direct
4 knowledge. It's my opinion.

5 Q That's fair. That's fair. And we appreciate the assessment based on what
6 we've shown you.

7

BY [REDACTED]

8 Q Ms. Guilfoyle, if we can kind of zoom out a bit --

9 A Sure.

10 Q -- and go back to -- so December 19th, President Trump tweets out, "Big
11 protest in D.C. January 6th. Be there, will be wild!"

12 Are you familiar with that tweet?

13 A I mean, it sounds vaguely familiar, will be wild.

14 Q Do you recall President Trump tweeting about an event on the 6th in
15 December of 2020?

16 A I don't have a direct recollection of that, but it makes sense.

17 Q Okay. Because what we want the benefit of hearing from you from is --

18 A Sure.

19 Q -- as public reporting has indicated, Julie Fancelli, a donor that you
20 referenced as one of your donors, pays --

21 A Because she's one of the President's donors, and I'm the finance chair, so
22 therefore it's my job to handle and manage the donors and donor relations.

23 Q Ms. Fancelli pays for the vast majority of the money that supports the events
24 on the 6th.

25 A I don't have personal or direct knowledge of that because I wasn't in charge,

1 and I don't know who was paid what or how much of it she funded. But you're telling
2 me that, so just to be clear.

3 Q What I want to understand from you is that going back to December
4 of 2020 --

5 A Yes.

6 Q -- were you aware that Ms. Fancelli was in communication with Ms. Wren in
7 the second half of December of 2020?

8 A I don't know at what point, maybe like between -- like after Christmas and
9 New Year's. That's the only time that I recall like, okay, hearing there's going to be a
10 rally or who's going. And I think there was a lot of wait and see is the President going to
11 go, and even attend, you know what I mean, show up?

12 Q And were there discussions about who was going to pay for the rally?

13 A No.

14 Q Because a rally that had the President attend, that would have -- that would
15 be fitting of the trappings and whatnot for a President attending would cost a lot of
16 money. Is that fair?

17 A Rallies can be expensive, yes.

18 Q And would it be common for Ms. Wren to be in contact with a high donor
19 like Ms. Fancelli without your knowledge or input or otherwise?

20 A Of course.

21 Q Okay.

22 A She didn't work for me. I had nothing to do with this event. I did not
23 raise any money for this event. I did not make any calls for this event to solicit any funds
24 whatsoever.

25 So I don't know how much it cost to put on. I don't know who gave money. I

1 only know that Caroline Wren told me that Julie Fancelli gave \$3 million.

2 I even don't know if Julie Fancelli gave \$3 million. It was what she told me, so
3 that was hearsay.

4 Q So when you say -- but here's what I don't understand.

5 A Yeah.

6 Q You indicate that it's your donor because it's the President's donor, but it
7 seems like we're having it both ways, right?

8 Is it -- and if I could just finish -- it's either -- it sounds in one regard that Ms. Wren,
9 on her own, without your knowledge, goes and secures the funding for a rally where the
10 President attends and you speak, but Ms. Wren's the one in charge, and another role
11 you're saying that's the President's donor, that's then your donor, that fell under Trump
12 Victory?

13 A This isn't inconsistent.

14 Q If I could finish?

15 A Okay. I thought you were done.

16 Q Yeah. So which one is it?

17 A It's not one or the other. This isn't binary.

18 Once somebody -- say a campaign ends. It doesn't mean I still wouldn't refer to
19 them colloquially as my donor or my person, you know? They're my donors.

20 Once you're a donor that I have worked with or developed a close relationship
21 with, you're my donor. We may become best friends and you come to my birthday
22 party, but you would still be, quote, one of my donors. It's just the way you think about
23 it and process it in.

24 I didn't have anything to do with this event whatsoever, for the planning of it, for
25 the finance of it, for solicitation of funds, whatsoever.

1 Q But would it be fair to say that it's Ms. Wren's donor at some point?

2 A I don't know. That would be up to Ms. Wren to decide. That would be
3 her state of mind of what she thinks. And I really try not to get into her head because
4 that would be just -- who knows what goes on in her head?

1

2 [2:29 p.m.]

3

BY [REDACTED]

4

Q Well, were you and Ms. Wren friends?

5

A Yes, we're friends, but, you know.

6

Q Are you friends now?

7

A I would say we're friends, yes, you would say that. I'd say that, you know,

8

she knows she frustrates me on a regular often occasion.

9

Q And in December 2020, were you friends then?

10

A I guess you could characterize it as friends, yes.

11

Q How would you characterize it?

12

A That she gets on my nerves. She knows it. And -- but, you know, I think

13

she's hardworking. I think she can be well-intentioned. But, you know, that's about it.

14

BY [REDACTED]

15

Q If I could jump in for a moment. Witnesses had previously characterized

16

you as very good friends, to the point where she lived on your couch sometimes?

17

A Oh, please. Who said this? I mean, people are just on Fantasy Island,

18

okay. Did she say this?

19

Q No, but this is why we want to clarify. Right. That's why we're asking is it

20

true or not.

21

A No.

22

Q No, she never lived --

23

A No, no.

24

Q And you would not -- you would disagree if people said that you were close

25

friends?

1 A We're friends.

2 Q Okay.

3 A I think it varies from time to time, whether I'm frustrated with her or not
4 talking to her or whatever. I mean, that's the honest to God's truth.

5 Q And we appreciate --

6 A And I tell that to her face, and she wouldn't suggest differently.

7

BY [REDACTED]

8 Q So President Trump tweets on December 19th the tweet we just went over.
9 Then at some point -- is it fair to say at some point in December, you become aware that
10 Ms. Wren is in conversation with Ms. Fancelli about funding an event on January 6th?

11 A Caroline says that Julie Fancelli is giving or gave, right -- I don't know
12 whether it was received or not -- \$3 million for the event.

13 Q And did you understand whether Caroline Wren contacted Ms. Fancelli first
14 or Ms. Fancelli contacted Caroline Wren first in order for money to be provided for the
15 event?

16 A I don't know what came first, the chicken or the egg. I don't know, but
17 that's a good question.

18 Q Did Ms. Wren indicate to you either way?

19 A No, not that I recall. I just know that she said Julie Fancelli was giving \$3
20 million. And, again, I don't know if she gave or, you know, hadn't given it, or it was
21 received, because I wasn't involved in any of the, you know, bookkeeping, receipt of
22 funds, solicitation of funds, planning of the event, nothing.

23 Q Did Ms. Wren keep you up to date on her work regarding the planning of the
24 event in late December?

25 A No, she did not, because she had no reason to report to me because this

1 wasn't my event. She was acting on her own, on her own accord, not under my
2 direction, my behest whatsoever. Nothing to do with me.

3 [REDACTED] Understanding that you may not have thought that you
4 were -- understanding that you didn't have a role in the planning, but was it your -- did
5 Ms. Wren contact you or text you, hey, this is what I'm doing, look at this, like, I'm
6 planning this event, or just kind of keeping you in the loop in any way?

7 The Witness. Again, you're talking about 4 days that I was even like remotely
8 even involved in terms of speaking at this event. So, no, I don't know what she was
9 doing all the time. I do know she told me that Julie Fancelli gave \$3 million, so I guess
10 that's giving me information. But it also didn't surprise me, because Julie Fancelli was a
11 major donor or what's classified as one.

12 BY [REDACTED]

13 Q If this were prior to the election and Julie Fancelli had given \$3 million for
14 something to the benefit of President Trump, would that be the kind of thing that you
15 expect Caroline Wren to update you on or is that something she could do on her own?

16 A During the campaign she worked for me.

17 Q Okay.

18 A And the campaign was over on November 3rd.

19 Q So after November -- November 4th on --

20 A Ms. Wren no longer worked with me at all whatsoever. That's what I'm
21 trying to say. This and then you're over here. So this is a period in between. I didn't
22 work with her. I didn't work for her. She didn't work for me. We didn't work
23 together. I had nothing to do literally with that event, raising money, organizing it,
24 doing anything.

25 Q Let's go to -- we're going to show you an exhibit that is 36.

1 A Sure.

2 Q And these are messages -- these are going to be messages from -- between
3 you and Ms. Wren, text messages. And this you'll have to look up here on the screen,
4 Ms. Guilfoyle.

5 [REDACTED] There are some that are in your binder, but the ones that we're about
6 to show you just aren't. This was a supplemental exhibit.

7 The Witness. Oh, I see.

8 BY [REDACTED]

9 Q So here, this is a message --

10 A Yeah, that's me.

11 Q -- that Ms. Wren sends you, a tweet from President Trump on December
12 27th about the rally: See you in Washington, D.C., on January 6th. Don't miss it.
13 Information to follow!

14 A Yeah.

15 Q Do you remember this?

16 A I remember that the President had tweeted out, you know, about the event,
17 because then I remember saying -- we all said, oh, okay -- we call him DJT -- POTUS or DJT
18 is going. That's what we call him. That's what his sons call him. So, okay, DJT is
19 going. So this, you know, looks somewhat familiar.

20 And then the one you said was one that says wild or something, right?

21 Q That was December 19th.

22 A I don't know.

23 Q Well, I'll proffer to you that's December 19th.

24 A Okay. I don't know. But -- so he was tweeting.

25 Q So this is now, at minimum, an additional tweet that he indicates. So it's

1 fair to say that when Ms. Wren sends you this on December 27th, you understand the
2 President is going to Washington, D.C.?

3 A I don't recall seeing this, but if I received and saw it, again, which I don't
4 remember seeing this in particular, but I know he tweeted out about the event. So
5 yeah. Would I expect to see him at that? Yes, schedule permitting.

6 Q And did you have an understanding that this was going to be an especially
7 large event?

8 A I had no idea how large it was going to be because I didn't have anything to
9 do with the planning.

10 Q Well, let's go to the next message. And here Ms. Wren says: January 6th
11 Million MAGA March.

12 And she seems to be writing perhaps some kind of statement or something, but:
13 Mr. President, I'm getting so many calls about the rally in D.C. January 6th. It's going to
14 be huge. I'm helping to fund it, and buses of people are coming in from all over the
15 country to support you. It's going to be huge. We are also adding in programming the
16 night of the 5th.

17 A Yeah.

18 Q Do you recall this message that Ms. Wren sent you?

19 A I don't recall it, but, you know, she sends me a lot of messages. And so I
20 don't know what this is.

21 Q So --

22 A Can you scroll up the rest of it, please?

23 Q Scroll down, you mean?

24 A I mean whatever the phrase is to get --

25 Q Yeah. You want to scroll down a little bit to -- yeah.

1 A I actually don't ever recall seeing this.

2 [REDACTED]. Did Ms. Wren ever send you things to use as talking points that you
3 could use to send to other people?

4 The Witness. Ms. Wren would regularly send me things unsolicited,
5 unrequested, not wanted, but she does whatever she wants.

6 BY [REDACTED]

7 Q So is this a kind of example of something where she's perhaps providing you
8 some kind of talking points or something to talk about the event?

9 A Yes. I never sent that, gave it. I'm actually only reading it now for the first
10 time to see this, because I never asked her to send me any talking points. None of that
11 is even true.

12 Q Well, when you say you're reading it for the first time, is it fair to say you --

13 A I don't recall it.

14 Q Well, you don't recall it?

15 A Yes, but I don't know that I even ever read that. There's plenty of
16 messages that I get that I've never even seen. And later on, if you go to text that
17 person, you see that there's three messages above or below.

18 I'm telling you, swear to God, that I don't remember seeing or reading this
19 message, but that's not unc customary. As messages scroll up, I might miss one or two.

20 But reading this, I'm telling you, I didn't write or even know any of this. Congress
21 formally counts the electoral college. Mo Brooks leading the charge. None of this. I
22 didn't even know who the five Senators are where it says are leaning yes.

23 Q Now, if we can scroll down. It looks, then, this -- keep scrolling. We have
24 the second half.

25 A He's still writing.

1 Q So this is his redacted message that I think we can -- property I believe is
2 personal in nature. It doesn't have to do with the event. He sends you something
3 speaking about personal matters.

4 And then we go further down, still on December 27th, and we have: Do not give
5 up an inch Mr. President. You are the President. You won. Period.

6 And then, again, I think if you will agree -- you can scroll -- sorry.

7 A But this is all made up. This is Caroline Wren just writing a bunch of
8 nonsense. I mean, it's just so ridiculous.

9 Q Is it fair to say when we look at those and we also -- I think you recall
10 previously, Ms. Guilfoyle, that there were numerous calls back and forth between you
11 and Ms. Wren on the same day of these messages, December 27th. Do you recall --

12 A I never did anything with --

13 Q Well, sorry, Ms. Guilfoyle --

14 A I don't even recall seeing this, and I have nothing to do with the content of it.
15 This is clearly an unsolicited text message sent by her.

16 Q Well, Ms. Guilfoyle, if I may, do you recall earlier, when we looked at your
17 phone records --

18 A Yes.

19 Q -- it showed that you and Ms. Wren on December 27th had numerous phone
20 calls on that day?

21 A Yeah, you showed me a phone record that said there was a number of calls.

22 Q Yeah. And then so this is the same day that she's sending you these, in
23 effect, can we call them talking points about --

24 A I don't know. I guess that it is. But this is why I say I get frustrated with
25 her, because she sends stuff like this that is just ridiculous.

1 Q So did you have a conversation about her sending you what you --

2 A I don't recall even seeing this, let alone having a conversation about it.

3 [REDACTED] Do you recall -- okay.

4 The Witness. I really don't. I mean, this is annoying to me, actually. It's
5 frustrating. Not what you guys are asking, but the fact that this type of nonsense gets
6 sent to me for something that I didn't have any involvement organizing, planning, or
7 doing anything with.

8 BY [REDACTED]

9 Q Well, let me ask you this. You had phone calls with Ms. Wren this very day.
10 Did you express that to her, about why she was sending you these --

11 A I don't recall --

12 Q Sorry, but, ma'am, we have to --

13 A I'm trying to help and answer your question.

14 Q It's only for the record. Otherwise, when we read it back --

15 Mr. Tacopina. For the poor lady over there.

16 The Witness. Sorry. Sorry.

17 BY [REDACTED]

18 Q You had numerous phone calls with Ms. Wren at this time period. You had
19 numerous messages that she's sending you on the topic of January 6th.

20 A Right.

21 Q She sends you President Trump's text -- excuse me, tweet advertising the
22 event.

23 A Uh-huh.

24 Q Then you have numerous phone calls. Then we'll continue. We see you
25 all are sending texts, and you respond to -- you can scroll down a little further. You can

1 scroll down a little bit. You see on the next day, December 28th, you were -- you all
2 were in back-and-forth conversations.

3 So it looks here that you're only -- you're talking back and forth on the telephone,
4 she's sending you messaging regarding the 6th.

5 A It looks like I'm ignoring and talking about something else.

6 Mr. Tacopina. Hold on, just for clarity. Please hold on. Can you scroll forward
7 or can you just scroll up a little bit?

8 [REDACTED] Yeah.

9 Mr. Tacopina. That's the end right there. That blue box is the end of that
10 message we were discussing, correct?

11 [REDACTED] It's the end of, yeah, of the message --

12 Mr. Tacopina. Of that string?

13 [REDACTED] -- on the 27th.

14 Mr. Tacopina. Okay. Hold on, please. That's what I'm trying to understand.
15 What's the time of that last message?

16 [REDACTED] 7:10, I believe.

17 Mr. Tacopina. P.m., more or less?

18 [REDACTED]. Hold on one second while we scroll the other direction.

19 [REDACTED]. The initial one is 7:10. I think the way iMessage typically
20 works, if someone sends numerous, it doesn't give you a time stamp.

21 Mr. Tacopina. So we're talking around 7 p.m. the night before.

22 [REDACTED] Yes.

23 Mr. Tacopina. Okay, okay. The 27th at 7 p.m. So there's no response to this.

24 The Witness. I didn't respond to it.

25 Mr. Tacopina. I'm not asking. I just want to make sure that we're on the same

1 page. There's no response to those messages that you see, correct?

2 [REDACTED] There's no response until Monday, December 28th, 8:23 p.m. So
3 what we can't tell --

4 Mr. Tacopina. Which was 25 hours later, more or less.

5 [REDACTED] What we can't tell is when the last message is sent. So sometime on
6 or after 7:10 p.m. on December 27th, those messages are sent. Without --

7 Mr. Tacopina. But whatever it is, it's not the 28th and there's no reply on the
8 28th at all to those messages.

9 [REDACTED] Correct. There's no -- at least from what we have, there's no reason
10 to think that between the last messages and December 28th, 8:23 p.m., there's no
11 response from Ms. Guilfoyle.

12 Mr. Tacopina. And that response on the 28th at 8:23 p.m. would not have been
13 responsive to that message, which you wouldn't have redacted it, correct?

14 [REDACTED]. I'm sorry?

15 Mr. Tacopina. The little small box at 8:23 p.m. on December 28th, is that a
16 message from Kimberly or from Ms. Wren, if you know?

17 [REDACTED]. Here's where -- you're asking whether the December 28
18 message -- which one?

19 Mr. Tacopina. Right there.

20 Mr. Seigel. At 8:23, whether it would be responsive to the message that was
21 sent on December 27.

22 [REDACTED]. Well, what I will proffer to you is that that is Ms. Wren
23 asking Ms. Guilfoyle not to ignore her.

24 [REDACTED] Oh, snap. Hello. Stop ignoring me.

25 The Witness. She writes that to me all the time.

1 ██████████ And then your response was December -- December 28th, 10:22 p.m.

2

BY ██████████

3 Q So when she had -- so, with that understanding that she treats you that way,
4 did you then have conversations with her --

5 A She's just like -- okay. You've met her, right? She's a very
6 forceful -- you've met her? Hasn't she not been here? Okay, fine. The point simply
7 is --

8 ██████████ I will just say the same way we don't talk about whether you were
9 here, we don't talk about whether she was here.

10 The Witness. The point is, is that she does this. She will hammer you to death
11 with calls, texts, this and that, unsolicited, unrequested, unrequited, okay. And so
12 that -- this is yet again another example and then why I get frustrated. So I'm trying to
13 explain to you here's an example of the context.

14 Mr. Tacopina. I would suggest that the actual -- the redacted message may
15 not -- it maybe shouldn't be redacted, because I think what that says loud and clear, stop
16 ignoring me or whatever is there that's redacted, it is obvious that, going up a little bit
17 further, the 8:23 one, which said basically stop ignoring me, right, more or less.

18 So I think this makes it clear that Kimberly didn't respond to that message, those
19 messages about fight and, you know, every single one of them, whatever that says there,
20 either by text message or by telephone conversation.

21 ██████████ I will say that was certainly what I would have said until earlier -- well,
22 earlier Ms. Guilfoyle said, well, text messages could pop up and appear and you may not
23 have --

24 The Witness. No. I was referring to Pierson.

25

BY ██████████

1 Q But was that just the nature of your text messages or was that very specific
2 to like that instance where you were -- like that day? What --

3 A With the President.

4 Q Because it's the presence of the President that makes your --

5 A Yes.

6 Q -- text wonky --

7 A Yes.

8 Q -- for lack of a better word?

9 A The Secret Service, they scramble signals so no one can, like, fire in a bomb
10 or, you know, hurt the President.

11 Q Okay. So assuming that these have no reason to otherwise be --

12 Mr. Tacopina. Wonky.

13

BY [REDACTED]

14 Q -- wonky and scrambled, to your attorney's point, we have no reason to
15 think there are texts outside of this.

16 A No.

17 Q It looks like there is a text on December 27th, 7:10 p.m. She texts again
18 December 28th, 8:23, and we proffered to you that it says: Hello, stop ignoring me.

19 Your attorneys have said, and it's a fair point to make, that that would suggest
20 that she was upset that you ignored her previous text messages --

21 A Correct.

22 Q -- and said "stop ignoring me"?

23 A Correct.

24 Q And it's your testimony --

25 Mr. Tacopina. And that also the phone calls probably would not have been

1 responsive to that, because I know -- I know [REDACTED] had mentioned before there were
2 a lot of calls on that day, but clearly they weren't about that or --

3 [REDACTED] If that's her testimony -- let me be clear. If that's your testimony,
4 because that's the best that you remember, that's fine.

5 The Witness. Yeah.

6 [REDACTED]. We're just trying to get your characterization of this. So that's fine.

7 The Witness. Yeah, yeah.

8

BY [REDACTED]

9 Q So if we can scroll down a bit. And then so we have messages with you on
10 the 29th. Scroll down again, please. We get to the 30th. And then before -- we'll
11 stop here one second.

12 So we now get to the 1st. So the 1st, again, is the date you recall having the
13 conversation in passing with Ms. Wren at Mar-a-Lago, correct?

14 A The 1st is the what, the day the -- yeah, Friday, January 1st, you're saying?

15 Q Yes. That's the conversation you had with her at Mar-a-Lago. Is that
16 correct?

17 A Well, I saw her in person.

18 Q In person is what I'm talking about, the conversation by the pool.

19 A Oh, yeah. That was in person on January 1st.

20 Q Yeah. In person?

21 A Yeah.

22 Q Yeah, yeah.

23 A I thought you were saying it's here. It was actually in person. Sorry. I
24 wanted to make sure.

25

BY [REDACTED]

1 Q But presumably, I just want to make sure, the time of day I know you
2 couldn't necessarily remember, but it was daytime, right?

3 A Yes, it was during the day. I don't know like -- I would say sometime before
4 dinner.

5 Q Okay. Did you say lunch or did I imagine that?

6 A I don't know. I know we were eating something, but I don't know if it was
7 like 3 or 4 or -- but it wasn't early early.

8 Q I don't know why for some reason I thought there was a Cobb salad. You
9 did not mention that, did you?

10 A No.

11 Q Okay. Sorry. That was definitely my head.

12 Mr. Tacopina. [Inaudible.]

13 The Witness. I don't eat Cobb salad and Don Jr. definitely --

14 [REDACTED] No, no. I don't know why that thought was in my head.

15 The Witness. -- doesn't eat Cobb salad.

16 [REDACTED] But daytime, we can say daytime before dinner. Okay, that's
17 helpful.

18 BY [REDACTED]:

19 Q So then we get to the -- we get to the next day. And here's, Ms. Guilfoyle,
20 what we're trying to understand is --

21 A Yeah.

22 Q -- we're not in your world. We're not politicians or politics-adjacent.
23 We're --

24 A Lucky you.

25 Q So what we want to get your benefit from is that, in looking at this from our

1 vantage point, you have a donor that puts up millions of dollars. You have Ms. Wren,
2 who is not at the apex of the Trump fundraising world or Trump Victory, but is not that
3 high up, it seems.

4 A I would say that. She was -- she was a national fundraising --

5 Q If I could finish, and then we would appreciate if you could characterize and
6 help us understand.

7 And we go from -- from Ms. Wren getting the funding and working and finding
8 herself working with everyone from ESI to Katrina Pierson, and taking what seems to start
9 from a tweet --

10 A Who's ESI?

11 Q A professional events group that puts on events.

12 And it seems like Ms. Guilfoyle -- excuse me, Ms. Wren becomes this critical
13 linchpin that makes this massive event possible for President Trump.

14 And is it your view, just as someone who's an expert in this area, that she just
15 happens to be the one who on her own secured this critical donor that makes this rally
16 possible? Like, I want to help to get --

17 A I think you're not giving her enough credit.

18 Q Okay.

19 A She actually is a very good fundraiser. She was a big fundraiser before I
20 was even fundraising. She actually does this for a living and then joined the campaign.
21 So she is somebody who works at fundraising. That's her life. She wants to do calls
22 and do that stuff all day long.

23 I am, you know, very tenacious, very hard worker, and I worked very hard during
24 the campaign, and I did everything I could to raise money for the President. And I
25 developed, you know, additional relationships during that time with new donors, old

1 donors, et cetera. But she very much runs her own operation.

2 Q And would it be -- if you had to speculate, would you think Ms. Wren would
3 be the one who decided that this event needed \$3 million or that the donor would go to
4 her? In your expertise, how do you think this kind of thing comes about?

5 A Yes, she's a major fundraiser.

6 Q So she is the kind who would go out and look for the donor to pay for the
7 event?

8 A Yes. She's a fundraiser. She goes out. She helps with plan events, do all
9 of these things.

10 BY [REDACTED]

11 Q Oh, so your understanding is she does help plan the event, she doesn't just
12 raise money for it?

13 A I think she'll do whatever it takes to make an event successful, meaning
14 whether it's, you know, raising money or planning it out or brainstorming ideas. You
15 know, I mean, that's kind of how she is, her personality.

16 Q A brief tangent really quickly, because you raised an interesting point. Ms.
17 Wren's background as a fundraiser, earlier I think you said something along the lines of
18 like you made money off of speaking, but you didn't make money off of fundraising.
19 And I understood that to mean because you worked for the campaign when you did it,
20 you earned a salary. You couldn't --

21 A Yes, I was on salary as an employee.

22 Q But Ms. Wren, that's not her relationship, right? That Bluebonnet
23 Fundraising, that's an entity that could solicit donations and could make money off of
24 donations. Is that your understanding?

25 A It's my understanding, and to the best of my knowledge -- again, I don't have

1 personal direct, but to the best of my knowledge, is that's an entity that, you know,
2 preexisted even the campaign, because she did fundraising.

3 In fact, I met her when she was doing fundraising for some event in, you know,
4 California. I was speaking at one of the -- and I apologize. I don't recall which one, but
5 Republican Jewish Council or Association. Some event. And she was one of the
6 fundraisers for them.

7 Q But I guess what I was getting at is, was it your understanding that, as a
8 fundraiser, she could make money off the funds that she raised?

9 A Well, it would depend if she was actually a salaried employee or then she
10 can fundraise and make a percentage, as any fundraiser does that is actually working on
11 what we call commission.

12 Q Okay.

13 A Right.

14 [REDACTED] That's helpful, just the clarification. Go ahead.

15 BY [REDACTED]

16 Q So you speak with her on the 1st. And then if we scroll down here -- well,
17 let me ask you before we get there. Did she tell you what else would be happening at
18 the 6th, other speakers, anything else, event planning, here's what to expect, here's our
19 goals?

20 A No, not that I recall at all. And, again, I was busy, you know, being just
21 recently by like, you know, minutes engaged, looking for a home, and working on some
22 other things at the time. I wanted no part of doing any other fundraising, because I was
23 actually looking to do some media opportunities and focus solely on that at the time.

24 Q So what did you think was the whole point of the rally? She comes to you.
25 You decide to speak. You're going to go there. You want \$60,000. What's the point

1 of all this?

2 A It's not that I wanted \$60,000. I went to go speak and then subsequently.
3 It's the order in which it occurred, I was told, oh, Charlie Kirk is going to pay you for it.
4 Oh, okay. That's, again, what he does. We speak at events he's throwing, hosting,
5 affiliated with, and he pays us to speak. So it's just --

6 Q So then we go to the 2nd. We can scroll down. And Ms. Wren forwards
7 you this document called March to Save America that pertains to the rally on the 6th and,
8 you know, an itinerary of sorts to running that.

9 Do you recall receiving that?

10 A I do not. And I can't even -- is it in here?

11 Q It's not in your binder, but do you recall receiving any kind of document,
12 whether an itinerary or anything of the sort?

13 A I don't have a recollection right now of receiving that, but it doesn't mean
14 that I didn't receive it. I just don't know that I saw it, read it, let alone retained it,
15 meaning in my mind. But can you -- is there a question regarding that flier?

16 Q Well, we'll keep going. And we can scroll down. We can see then Ms.
17 Wren then sends you a speakers' list.

18 A Oh, okay. Is this the same thing? No, it's different.

19 Q Well, if we can scroll down a little further.

20 A Oh, it just cuts off?

21 Q Well, we can keep going. Stop there.

22 A Okay.

23 Q So here, again, it looks like the list has gone to Don Jr. and it's also gone to
24 you. And, again, do you recall any conversations you had about this list with Ms. Wren
25 or with Don Jr. or with anyone else?

1 A No, I don't. I mean, you'd have to ask me about a specific time, but
2 I actually -- I just don't in general. I don't know. I didn't -- I don't recall seeing this list
3 and then having a specific conversation with Don Jr. about it, and I don't know who else I
4 would even have a conversation with about it.

5

BY [REDACTED]

6 Q So just because it's difficult to flip back, but on exhibit 6, the text that we
7 showed you between Ms. Wren and Don Jr., she sends that same list, that same image, I
8 believe, to Don Jr. on January 2nd at 7:35 p.m.

9 A And when did she send it to me?

10 Q About 39 minutes earlier, at 6:56 p.m.

11 A Uh-huh.

12 Q And actually, I think if we look at your phone -- at your phone, there may
13 have been a call in between. Do you remember talking with her, saying, hey, could you
14 send this to Don?

15 A Oh, no.

16 Q Okay.

17 A I specifically would never tell her to send anything to Don.

18 Q Okay.

19 Mr. [REDACTED]. Why is that?

20 The Witness. Because she annoys him.

21 [REDACTED] She annoys him?

22 The Witness. Yes. She gets on his nerves.

23 [REDACTED] And if we scroll down the same day, Ms. Wren then sends
24 you a video that is -- we can proffer to you is a -- it's an ad or, you know, a --

25 [REDACTED] It's, frankly, a battle anthem. If we could -- I don't -- we might be

1 able to play it, but it's an advertisement for a rally. Actually, we can probably pull it up.

2 The Witness. What rally?

3 BY [REDACTED]

4 Q For the 6th. So in keeping, she's now on this same day, she sent you a
5 speakers' list, she sent you the itinerary, and then she sent you this, basically, a promo
6 video that has --

7 A Sure.

8 Q -- the -- an energy that's more akin to a battle cry, kind of battle rally.

9 Do you recall receiving this?

10 A No. You can play it for me, see if it refreshes my recollection.

11 Q Well, we can work on that. But let's keep going.

12 So why -- and then you see if you scroll down a little further, we're still on the
13 same --

14 Mr. Tacopina. Is there any reply to that battle cry, as you called it, battle cry
15 video?

16 [REDACTED] We can call it a promo video.

17 [REDACTED] A promo video might be --

18 Mr. Tacopina. I was just using your words, but promo video. Is there any reply
19 from Kimberly?

20 [REDACTED] There's not a reply by text message that we're aware of.

21 But we'll scroll down. And then here --

22 Mr. Tacopina. Tell me, what is redacted there?

23 [REDACTED] What's redacted isn't relevant for -- it's of a personal
24 capacity. It's not relevant to the committee's inquiry.

25 Mr. Tacopina. I know, but --

1 The Witness. They're not allowed on the 6th --

2 Mr. Tacopina. Kimberly, let me, please. I just want to point out that's a matter
3 of interpretation, right? Because the last time you said it was irrelevant, and I don't
4 know if it was really irrelevant. It was -- you know, what was redacted was Caroline
5 Wren saying, stop ignoring me, which I don't think is irrelevant. I think that actually
6 shows that she didn't reply to those messages.

7 The Witness. I think it's very relevant.

8 Mr. Tacopina. Let me --

9 [REDACTED] But if I may, the redactions here, the committee receives
10 evidence from a variety of sources. And at times, as you can see in things that you've
11 given us, sometimes you may redact something for PII or something else. So if
12 someone -- if the committee were to receive evidence that is pre-redacted for a variety of
13 reasons that are not the committee's decision.

14 But I can tell you that message there has to do, as I understand it, to do with a
15 property, a Zillow property in Jupiter, Florida. Does that sound familiar?

16 The Witness. Yes.

17 Mr. Tacopina. Okay. I'm just asking. I'm not --

18 The Witness. Because we did send --

19 Mr. Tacopina. I wanted to make sure it wasn't another message here that was
20 like relevant to that video saying, that's ridiculous or something.

21 [REDACTED] If we have the context, we're happy to provide it. We may just not
22 always have the context.

23 [REDACTED] It's not the committee trying to hold --

24 Mr. Tacopina. No, I know.

25 Mr. Seigel. But the point is there was nothing responsive to that promo video

1 that was sent. That's the point.

2 [REDACTED] Yes.

3 The Witness. I think that's important, though.

4 Mr. Tacopina. I know. But just answer the question, please. I'll do all the
5 lawyer stuff.

6 BY [REDACTED]

7 Q And then you'll see if you scroll down further, this is now Ms. Wren then says
8 or -- a tweet that says: We're now at well over 100 House members and a dozen
9 Senators ready to stand up for election integrity and object to certification. It's time to
10 fight back.

11 Did you have conversations with Ms. Wren about the purpose of the rally being
12 related to objecting to certification?

13 A No.

14 Q Did you have those conversations with anyone at that time?

15 A No.

16 Q Did you have any idea what the purpose of the rally was for?

17 A I thought it was a, hey, here's the President, let's save America, which is the
18 rallies literally that we still do to these days. Like the name is the Save America PAC,
19 separate from MAGA Again PAC.

20 Q So you didn't have any beliefs as to the relevance of it being on January 6th?

21 A No. Quite frankly, I did not. I was not involved in any of that certification
22 stuff. I couldn't explain it to you to this day.

23 Q Did you know generally that that day had significance and why it was being
24 held on the 6th?

25 A I didn't know all of the ramifications or what the significance was, quite

1 frankly.

2 Q Did Don Jr. ever make any comments prior to the 6th about the importance
3 of the 6th to his father's efforts?

4 A No. He barely ever mentioned anything about this.

5 Q In drafting your --

6 A More logistics.

7 Q In drafting your remarks to speak, did you talk to anyone as to what the
8 event was aimed at, to know what you should kind of touch on?

9 A No, I didn't actually draft remarks. I actually gave, which I usually do a lot
10 of times, is just extemporaneous speech, just a quick -- I give quick remarks, and that was
11 it. I never drafted a speech or anything.

12 Q And when you --

13 A I know Caroline tried to send me what she would have liked me to say.
14 That's what she does. She keeps pushing and pushing. And that's why she's a good
15 fundraiser, she's aggressive, but sometimes it's too much, and that's the case.

16 [REDACTED] And we'll come back to that. There are things that you're saying
17 that I definitely want to ask you some follow-up questions about, but we just kind of want
18 to wrap a couple things up.

19

BY [REDACTED]

20 Q You can scroll down. That's Mark Meadows.

21 A Oh, that's Mark Meadows.

22 Q And then you say: Cool. No Mike Lindell on the 6th.
23 What are you referencing there?

24 A I don't know. So that's after Mark Meadows? Can you scroll back up to
25 Mark Meadows' thing?

1 ██████████ I think this is --

2 BY ██████████

3 Q The Mark Meadows tweet is on, I think it's Saturday at 11:31 p.m. is the last
4 time stamp, and then your text is 12:38 in the morning. So --

5 A Wait. Sorry, sorry, sorry. Sorry. One more time. You said it was
6 when, Saturday?

7 Q The last time stamp we have before the Jupiter tweet is Saturday, January
8 2nd, 11:31 p.m.

9 A Oh, okay. So what happens is a little bit later -- but now it's very late at
10 night -- I'm responding back, but technically it's Sunday, January 3rd.

11 Q Correct.

12 A Got it.

13 Q And then this response here, what were you saying?

14 A I'm thinking cool is in response to the Mark Meadows, but what was the rest
15 of it?

16 ██████████ The next text says: No Mike Lindell on the 6th.

17 And then she responds back, if you scroll down a little bit: Why?

18 The Witness. And then what do I write?

19 ██████████ You can scroll down more.

20 ██████████ "He donated 600,000."

21 The Witness. That's not me.

22 ██████████ No, that's her. Sorry. She says: Why? He donated 600,000.

23 The Witness. And I don't know what she's referring to. What did he donate
24 600,000 to?

25 BY ██████████:

1 Q Are you familiar with him making any donation, any large donations?

2 A No. To the campaign? No.

3 Q Okay.

4 A So I don't know what she's referring to, if that's something else.

5 Q And do you know what you --

6 A Or for that event is she referring to? I have no idea.

7 Q Do you know what you were referring to when you said "no Mike Lindell on
8 the 6th"?

9 A I don't know if I -- no, I don't. At this time, I don't know what I'm referring
10 to, if I'm referring to no, he's there; no, he's not; is he coming. I don't know.

11 [REDACTED]. Would you have told her, based on her having sent you I believe the
12 speaker list, would you have told her don't have Mike Lindell on the 6th?

13 The Witness. But I would have no bearing on the list and who gets to speak.
14 That's why this doesn't make a ton of sense to me.

15 BY [REDACTED]

16 Q But I think you look in the order, though, she sends you a list, and in segment
17 3 Mike Lindell is on the speakers' list. That's when we first see his name.

18 A On Saturday?

19 Q If we can scroll up. Yes. So you see here you're in segment 4, and you
20 see Mike --

21 A The video --

22 Q I'm sorry, Ms. Guilfoyle, we have to do just one at a time.

23 Here, segment 3, do you see Mike Lindell is the last name listed?

24 A Yes.

25 Q All right. And who is Mike Lindell?

1 A My Pillow guy.

2 Q All right. And then we scroll down, and now your first response is at the
3 last grouping of text says: Cool. No Mike Lindell on the 6th.

4 That seems to indicate that you are either giving a directive or reflecting
5 something that you now understand to be true, that Mike Lindell should not be a speaker
6 on the 6th. Is that a fair reading?

7 A Did I now think he shouldn't be?

8 Q I'm looking here, Ms. Guilfoyle --

9 Mr. Tacopina. Let me try. It's either one of two things. Either you're saying
10 he will not be speaking, as if you're giving a directive. That's one option. Or the
11 second option, based on the reading, is that you've learned on January 3rd, by January
12 3rd, 12:38 a.m. that he's no longer going to be speaking, someone told you that or you
13 learned that information. Right? It's one of two scenarios that you could take from
14 this. Was that your question?

15 [REDACTED] Yes.

16 The Witness. Yeah. I can't say for certainty. Like, I didn't give any directive,
17 that's for sure, and I don't know if he did speak on the 6th or not.

18 [REDACTED] Well, the question is not whether he spoke. The
19 question is why are you giving Ms. Wren either a directive or input or otherwise reflecting
20 your understanding as to the speaker list about the 6th?

21 The Witness. I don't want to speculate, but I definitely didn't give any directive,
22 because I wouldn't have been deciding if Mike Lindell or anyone was speaking. So this
23 appears then to be a reflecting on who was going to be speaking.

24 [REDACTED] So then who did you have conversations with to learn that
25 information?

1 The Witness. I don't know.

2

BY [REDACTED]

3 Q Do you remember having conversations between when you -- I believe you
4 said Don Jr. agreed to speak on the 1st. You agreed to speak on the 1st. You get the
5 speakers' list on the 2nd.

6 A Uh-huh.

7 Q Do you remember having any conversations with anyone around that time
8 about who should be on the speakers' list or who would be on the speakers' list?

9 A I do not have any recollection of speaking to anybody in particular at all
10 about who would end up speaking. I definitely didn't have any conversation about who
11 I was deciding was speaking, because I had no authority whatsoever.

12 Q So the window between when you received the speakers' list from Ms. Wren
13 and when Don Jr. received the same speakers' list -- and for some reason the time he
14 received it I believe is 7:35 p.m. And that's the later one, from what I remember.

15 A Yeah. I don't even know if I was with him at that time, meaning like
16 physically present together.

17 Q Well, so that's what I was going to ask is if you remember where you were in
18 terms of those like 5 hours. You get the speakers' list, and then a few hours later at
19 12:38 a.m., you respond to Ms. Wren and say, "no Mike Lindell on the 6th."

20 To the extent that you remember talking to anyone the night of January 2nd, do
21 you even remember where you were that night?

22 A No. I mean, I could -- I would assume I was in Florida, but I also don't know
23 if Don Jr. was there, because he's been commuting and more frequently then between
24 New York and the Trump Org office and Florida.

25 Q So we know you were --

1 A Now he's more here because the President's here.

2 Q And we know you were -- on the 1st, we talked about how you were at
3 Mar-a-Lago, and we talked about how you were in Georgia on the 4th.

4 A Yes.

5 Q But sitting here today, can you remember where you were traveling, what
6 days you were present in Florida versus did you go straight from Florida to Georgia?

7 A We went -- yeah, I was trying to think about that. I don't recall. I don't
8 remember exactly how we got to Georgia.

9 Q I can tell you that you did not travel down with the President.

10 A No, we didn't.

11 Q You traveled back with the President.

12 A Right. So I don't know if there was a donor plane or we flew commercial.
13 We fly commercial probably like, you know, 90 percent of the time. But if there's
14 somebody going down there, we could have caught a ride, but I don't know.

15 Q Sitting right now, can you remember where you were before Georgia, in
16 terms of did you come from Florida straight to Georgia? Did you go back to D.C. and
17 then go to Georgia?

18 A I think Florida.

19 Q Okay. Okay. So --

20 A Because I don't recall being, you know, what I'm saying, anywhere else,
21 because it was New Year's. So it's like kind of a little bit slow, you know, New Year's
22 Day, the next -- the 2nd. And then -- I don't know, I think we flew.

23 Q And that would have been a bit brutal, right? Because you would have
24 been in Florida January 1st, something the 2nd and 3rd, Georgia the 4th, back that night,
25 D.C. the 5th, I believe.

1 A No, we didn't go back to Florida. We went to D.C.

2 Q That's what I'm saying.

3 A Okay.

4 Q So I'm saying you've got Florida for sure on the 1st. You've got Georgia for
5 sure on the 4th. You go back to D.C. that night. So you're in D.C. for the 5th and the
6 6th.

7 A That's correct.

8 Q And we'll come back to that and talk more in detail, but trying to pin down
9 the 2nd and 3rd, do you remember, do you go straight from Florida to Georgia or do you
10 go somewhere else in between there?

11 A I don't recall specifically, but I don't think I went someplace else.

12 Q That's fair. Okay. So it's likely that you went straight from --

13 Mr. Tacopina. Can we take five when you're done with this line of questioning?

14 [REDACTED] Sure.

15 BY [REDACTED]

16 Q I just was saying, based on that, is it fair to say that you likely went straight
17 from Florida to Georgia?

18 A I assume so. But, again, I'm supposed to be really specific here and I don't
19 want to say it if I don't know for sure.

20 Q That's fair. If you don't remember --

21 A If I had to bet, I would say, but I can't --

22 Q Okay. And we can leave it at that.

23 Mr. Tacopina. That was your question, I think, was it likely.

24 [REDACTED] Yes, exactly.

25 The Witness. Likely.

1

BY [REDACTED]

2

Q That's totally fair.

3

A Yes.

4

Q We can leave it exactly --

5

A That makes sense.

6

Q -- at your best recollection.

7

Okay. And so going back to I think conversations, I believe.

8

[REDACTED] Yeah. Did you want to take a break?

9

Mr. Tacopina. Can we just take five?

10

[REDACTED] Yes, this is a good comfort break moment. We'll recess for 5

11

minutes.

12

[Recess.]

13

[REDACTED] We're back from our recess.

14

BY [REDACTED]

15

Q Ms. Guilfoyle, we were looking at exhibit 36, which were text messages

16

between you and Ms. Wren. And we left it off with a conversation regarding Mike

17

Lindell. And just so I just note for my own recollection, here am I correct that you did

18

not recall why you sent the message saying "no Mike Lindell on the 6th"?

19

A Well, between the two, it's not a directive. It's me, I guess, reflecting,

20

saying, oh, he's not speaking on the 6th.

21

Q And that's helpful. And my next question will be, who would be providing

22

you that information that you would be expressing it to Ms. Wren as opposed to the

23

other way around?

24

A Yeah. That, I don't know. I don't know.

25

Q All right. So --

1 Mr. Tacopina. When you say you don't know, you mean as you sit here today,
2 you don't have a present recollection of it?

3 The Witness. That is correct.

4 Mr. Tacopina. I just want to clarify that.

5 [REDACTED] Okay. So at this point, is there -- who else did you know
6 to be working with Ms. Wren in planning this event?

7 The Witness. Katrina Pierson, the Kremer ladies, the America -- what is the
8 name for America -- I think that's their group.

9 [REDACTED] Women for America First?

10 The Witness. Yeah, the Amy Kremer.

11 BY [REDACTED]:

12 Q Is it possible that that information you got was from -- either from the
13 President or someone the President spoke to that gave a directive about the list?

14 A No, because -- or I don't know, because I don't know who he spoke to and
15 who he didn't, right? I don't have firsthand personal knowledge. But I didn't speak to
16 the President during that time. I only saw him briefly then in Georgia and then at the
17 White House and at the rally.

18 Q Is there -- sitting here today, do you recall any issues that were discussed
19 regarding Mike Lindell and why he shouldn't speak?

20 A No, because I like Mike Lindell and he's spoken at other things. So maybe
21 that's also why I'm saying I think it was just questioning like, oh, no Mike Lindell?

22 Q Let's go further down. We have a time stamp for a January 3rd message.
23 I'm sorry, where are we? January 3rd. I'll proffer to you that has something to do
24 about Ronan, a Ronan.

25 A Ronan, that's my son. RoDog is also a name he goes by. They call him

1 you RoDog.

2

BY [REDACTED]

3 Q Did he go shark hunting?

4 A Oh, it's so bad.

5 Q Okay. That makes -- sorry. That actually makes sense to us now, because
6 there was a lack of context there. So it's actually helpful to know what the shark
7 hunting was.

8 A Oh, that is helpful, because that means we were in Florida, because we were
9 shark hunting at -- not really hunting, it's catch and release, but like on the beach at
10 Mar-a-Lago. And so --

11 Q Oh, and that would have been during that time.

12 A That's correct. Is that a picture of Ronan and Don and a shark?

13 Q We don't have --

14 [REDACTED] No. We don't have --

15 The Witness. But that's what that's referring to.

16

BY [REDACTED]

17 Q Okay. So then later on, it says -- Ms. Wren says: Did grumps say anything
18 more about the rally?

19 And then you respond: No, leaving it as is.

20 She says to you: What's that mean?

21 And then you say: Told him last night he had to do it so I'm not bringing up
22 again. He has no choice.

23 And then she says: LOL I love you.

24 Can you tell us a bit about what you're discussing there with Ms. Wren?

25 A Okay. Well, but can you scroll back up?

1 [REDACTED] You can zoom out.

2 The Witness. So grumps is Don.

3 BY [REDACTED]

4 Q Your Don?

5 A My Don.

6 Q Okay. Just to be consistent --

7 A Don Jr.

8 Q -- Don Jr., and we'll say DJT, as you do.

9 A That's who I -- she's referring and called him grumps or he's grumpy,
10 because, you know, she irritates him and she, you know, liked him.

11 Q Calling him grumps may not help, but that's a discussion for another day.

12 A Yeah. So --

13 Q So let's move on from that.

14 A She'll have to deal with that.

15 BY [REDACTED]

16 Q So what issue did Don Jr. have with the rally?

17 A Oh, he just wanted to like not have to deal and stay in D.C. and come back.
18 He just was like grumbling about it in general, like complaining because he wants to, you
19 know, be in Florida and go shark fishing, shark hunting.

20 Q And so is it fair to say that Ms. Wren was relying on you to ensure that he
21 comes or --

22 A Yeah. Probably because there was a conversation that was like, oh, he's
23 complaining about going. Oh -- and she's like, oh, grumps, did he say anything else?
24 Like, no, leaving it as it is. I mean, I'm not going to bring up the same subject again or
25 talk to him about it or like make him grumpier, right? That's what that would be.

1 Q Okay. And then --

2 A I just shorthand things when I'm writing, because I'm also trying to just like
3 move on. That's why most of the time I don't even respond back or answer to her, but
4 she just keeps sending things anyway, so --

5

BY [REDACTED]

6 Q If we summarize that as she was concerned that Don Jr. was wanting to back
7 out of the rally, you saying it is -- leaving it as is, her saying, what's that mean, and you
8 say, I told him last night he has to do it so I'm not bringing it up again.

9 A I would summarize it as like she was concerned about him backing out,
10 because he was going to go, but it doesn't mean he still doesn't grumble about things or
11 complain. He's, you know --

12 Q Okay.

13 A Not just all men. Women can be grumpy too, but --

14 Q Okay. So if he was grumbling about it, don't worry, we're coming, okay.

15 A We were going, because we were landing in D.C. and we were just staying,
16 but we had to stay the 5th to do the 6th, right?

17 Q Got it.

18 [REDACTED] And then she then sends a tweet from President Trump
19 saying: I will be there. Historic day!

20 And then she says: It's #confirmed.

21 The Witness. Yes, because that is what I know to be the -- which is that then the
22 President actually confirmed. There's something that can be considered on his schedule
23 and it floats on there sort of like, okay, the President might do this event and he might
24 tweet out, which sounds like he's going to go, but until it's actually confirmed, something
25 could happen in the interim where he doesn't do it. So it's -- and the way the White

1 House works is then it's confirmed on his schedule. It's actually added to calendar
2 versus something still floating sort of for consideration.

3 BY [REDACTED]

4 Q Just for clarification, this is going to seem non sequitur, but did you have any
5 involvement in seeking pardons for people towards the end of the administration?

6 A How is that relevant to this? I don't understand.

7 Q So the next block seems to refer to something regarding, I believe,
8 Dr. Green.

9 A Oh, Dr. Laurie Green? [REDACTED]

10 Q "Please do pardon thing for Dr. Green. I know you're busy and I appreciate.
11 I need to get this in."

12 A Oh, I was asking him to help me because I was typing up something in
13 support of my doctor's son.

14 Q Your doctor's what?

15 A Son.

16 Q Son, okay.

17 A I think that's referring to Laurie Green, [REDACTED]
18 [REDACTED]

19 Q We just figured some of these would make sense to you in a way they didn't
20 to us. So to the extent that you can explain them, we just wanted to make sure they
21 were, in fact, relevant or not relevant.

22 [REDACTED] All right, you can scroll down.

23 The Witness. That's me.

24 BY [REDACTED]

25 Q That is helpful confirmation. Actually, right there if we could pause for a

1 moment.

2 A Yes.

3 Q So if we could scroll up just to get the date. So on Sunday, January 3rd, at
4 4:57 p.m., Ms. Wren sends you this, I guess, art -- graphic. It's a graphic.

5 A Yeah.

6 Q And then asked: Can I post on your Instagram?

7 A Yes.

8 Q Was it common for her to post things on your Instagram? Did she have
9 access to your account?

10 A She had on occasion. And this sounds like maybe she was still in, but then I
11 would log out to lock her out.

12 Q And presumably, it looks, at least, if she did have access, she asked your
13 permission to post things?

14 A Yeah. I don't know if she posted it or I did or, you know, Don's assistant.
15 There's a few people that have -- I'm not very good at doing any of the social media stuff.
16 And I'm usually just on my phone and traveling and not with like laptops or desktops.

17 Q Do you know who created that graphic?

18 A I do not, but it's a photo graphic that's, you know, on the internet and was
19 used as one of my FOX News ones.

20 Q And there it's referenced the March to Save America. It says
21 TrumpMarch.com. And we'll come back to the use of march in a moment, but --

22 A She's good at making graphics and doing things like that, like --

23 Q You thought she made it?

24 A I don't know, but she is good at making invites and stuff like that. She's
25 actually --

1 Q Okay. And sitting here today, do you remember whether you actually gave
2 her permission -- we can scroll down and see, but I don't know if --

3 A I don't know. Is it on my Instagram, or was it an Instastory?

4 [REDACTED] No. If you scroll down on the left.

5 BY [REDACTED]:

6 Q Oh, so you said no. Sorry. I didn't realize that was there. I just was like,
7 oh, there is the answer.

8 But do you remember why you would have said no?

9 A I have no idea. But, like, she just asks a lot all the time for everything, like
10 for the moon and back. And so I say no to her about 99.9 percent of the time. So that
11 kind of made me laugh, because I'm always flat out telling her no or I ignore her.

12 Q Well, can we scroll back up for just one second, because the graphic that she
13 sends you is basically saying March to Save America confirmed, you're speaking at the
14 rally.

15 A Yeah.

16 Q And at this point, you've had the emails about the speaker fees. You've
17 confirmed the \$60,000 payment in email. You've confirmed that you're going, that you
18 and Don are going. And now it's January 3rd --

19 A You mean the invoice but not the payment.

20 Q Right.

21 A Because the payment didn't come ahead of time.

22 Q Right. You've confirmed what you should receive.

23 A Yes.

24 Q Now it's Sunday, January 3rd, 4:57 p.m., and she's sending you a graphic to
25 publicize the fact that you're speaking.

1 A Yes. I have no idea. I wouldn't make -- it doesn't -- it doesn't kind of
2 make any -- to me a big deal or make any sense. I mean, I don't know. I might have
3 just been annoyed that she was buzzing me and just wrote no and like post it later or -- I
4 believe that got posted at some point, but I don't know when.

5 Mr. Tacopina. On your Instagram you think it got posted?

6

BY [REDACTED]

7 Q If that exists, that would be -- it is our understanding it did not get posted.

8 A Ever?

9 Q That when you said no, it did not get posted to your Instagram.

10 A What about Instastory?

11 Q I don't -- is that --

12 [REDACTED] Well, it goes by day till reset.

13

BY [REDACTED]

14 Q Okay. Those stories that disappear?

15 A Insta -- yes.

16 Q Okay.

17 A Instastory I use more frequently for appearances, because it's not like some
18 lasting, you know, memory that I want up or need to.

19 Q Well, sitting here, do you remember giving somebody approval or posting it
20 to your Instagram? Because after that no, we actually have no reason to believe that it
21 ever went on your Instagram.

22 A I don't know. I mean, I don't -- I don't ever recall that being an Instagram
23 post. I thought it was posted on Instastory.

24 Q And I guess what I was trying to get at was, just to the extent that you
25 remember, after agreeing to the fee amount, after agreeing to speak, after everything

1 that you're going through, I got the impression that publicity is a very helpful thing for
2 these things.

3 A That's true.

4 Q So I was curious to know --

5 A I thought it was posted.

6 Q But do you remember why you said no at the time?

7 A No.

8 Mr. Tacopina. But on here you're saying you don't want it posted, right?

9 The Witness. Yeah. I don't know why I wrote that to her, but I do believe that
10 that went out on Instastory.

11 [REDACTED] Okay. Okay.

12 The Witness. Which is easy for me to put on. That's easier than writing an
13 actual post.

14 [REDACTED] Okay.

15 [REDACTED] We can scroll.

16 The Witness. My point is there wasn't anything nefarious behind it. I don't
17 know why I wrote no. I thought it was kind of funny when I saw that.

18 Mr. Tacopina. Well, what you've said throughout the day here is that you really
19 weren't involved in this, correct?

20 The Witness. I wasn't, yeah.

21 Mr. Tacopina. Okay. So could that have been a reason you said no?

22 The Witness. Yeah. I mean, that's certainly possible.

23 BY [REDACTED]

24 Q So then here on January 4th, Ms. Wren sends you the agenda for the March
25 to Save America?

1 A Yeah.

2 Q Do you recall receiving this?

3 A Oh, is that that graphic that -- or the one that you said --

4 Q Well, it may not be the same exact words, there were like edits, but it's -- it's
5 in the same world of documents.

6 A Okay, yeah. What about it?

7 Q No, no. We're just giving you insight to the text because we're going to
8 have more questions. We just kind of have your full scrolling so we can --

9 So next we have here --

10 A But I notice on there it says all the people that are involved in it.

11 Q Yes.

12 A Point of contact: Caroline Wren, Maggie Mulvaney, Kyra Schaefer, Cassidy
13 Kofoed.

14 [REDACTED] Yeah. We are not saying that you were on any of that. We were
15 just --

16 The Witness. Because I didn't have anything to do with the event.

17 [REDACTED] And we're just scrolling through. We're just going --

18 The Witness. I get it. I'm just saying.

19 [REDACTED] Understood.

20 BY [REDACTED]

21 Q This next, you seem to send a screenshot. Go to the next page.

22 A Yeah.

23 Q Can you tell us a bit about what the screenshot's about?

24 A Oh, yeah. Around 12 -- can you -- yeah. 10 in the morning on Monday,
25 12:30 a.m. I don't know what 12:30 a.m., what does that mean?

1 Q I mean, reading it, it appears that you sent the screenshot to Ms. --

2 A What is around 12:30 a.m., is there something that precedes that?

3 Q Well, it's a screenshot that you sent to Ms. Wren. So --

4 A I sent a screenshot to her?

5 Q Yes. So it would be --

6 A Okay.

7 Q If it's how it typically occurs, you would be the blue bubble here --

8 A Okay.

9 Q -- sending it to her. And you were speaking to someone who's saying this.
10 And you send that to Ms. Wren. And then she -- I think it's just -- I don't think it's -- I'm
11 just -- you can scroll a little further.

12 She says: Is that Mickael?

13 And you say: Yes, all bars --

14 A Oh, you know, that's Mickael.

15 Q Okay.

16 A So Mickael --

17 Q Mickael.

18 A -- Damelincourt is the general manager for the Trump D.C. Hotel.

19 Q And then she says: Yes, which is why I need the downstairs of the
20 townhouse.

21 A Okay.

22 Q Do you recall what she's talking about there?

23 A Yeah. What's referred to, so Mickael is the general manager. And I would
24 deal with him regularly for, you know, whatever stuff. When we're staying at Trump
25 D.C., we would stay here. Whenever we're in D.C., we'd sleep there, right, or for now.

1 And it was during the COVID thing where bars and restaurants are shut down,
2 right? So that's -- yes.

3 Wait. Am I -- where am I here? Am I the blue or am I the --

4 Q Blue is Ms. Wren here. These are your regular messages.

5 A Okay. Can I see real fast?

6 Q Scroll up.

7 A Yes. So yes, I'm asking her are all the bars and restaurants closed, because
8 we're going to stay there and how do we get food or what do we do, right, because room
9 service. And so I think she says, yeah, remind all bar and restaurants --

10

BY 

11 Q Oh. Scroll up for one second. You send her a screenshot of a
12 conversation that you are having. I think she responds and says, if you scroll down: Is
13 that Mickael?

14 And you confirm and say: Yes, all bars and restaurants are closed?

15 And then she responds yes, which is --

16 A Oh, let me see. I think you're right. Let me figure this out. Okay, this is
17 helpful. Okay, good job. Okay, got it.

18 So that's probably a screenshot of Mickael that -- and I then sent to Caroline. Is
19 that what you're saying? Yeah.

20 Q Yes. It looked like you screenshot a conversation with Mickael.

21 A Maybe saying what time we're getting in. Oh, I know why, because he's
22 asking what time -- what's going on?

23 Q Apologies. We're having a charger issue.

24 A So I think Mickael is asking, which he normally was always communicating,
25 you know, to me. And I'd respond or get back to him, whatever. What time are we

1 getting in from Georgia? So, as I said, we got in real late, like around 12:30, it might
2 have been 1 in the morning, because we did the rally and POTUS doesn't go on till late.
3 And it was like 9 -- it was a really late night. So we got in real late.

4 And then, what room did we have for Rick and Stacy? Rick and Stacy, that's the
5 Kofoed folks, K-o-f-o-e-d. And they're Mar-a-Lago members. And me and my son and
6 then when Don was in New York, they gave us two rooms at a house that they were
7 renting there so that we could have someplace to stay until we found housing. So --

8 Q And so Mickael at the hotel is saying that he's trying to get the townhouse
9 cleaned up for Rick and Stacy. He asks you about the pricing and says: Remind them
10 that all bar and restaurants are closed --

11 A Yes.

12 Q -- in D.C. until Jan 15th.

13 A Yes.

14 Q And then you send that to Caroline Wren and say: Seriously, all bars are
15 closed?

16 Probably because my parents live in Florida, and if you were in Florida it was
17 probably hard to wrap your head around the concept --

18 A Exactly. Well, but it's true. And so then I don't want people like freaking
19 out when they get there and they'll say, what's going on around here?

20 Q So then she responds: Yes, which is why I need the downstairs of the
21 townhouse.

22 Presumably is there a kitchen in there or something, or is there something --

23 A Oh, what happens is that's like just a place where you can entertain. Say,
24 for example, if this was in the shape of like a dining table, and you can put a bunch of
25 food out and everything like that. So it makes it okay for people to get some food,

1 especially if all bars and restaurants are closed. The only thing available would be
2 individual room service or you could just lay the food out. And it was a limited staff, like
3 kitchen staff at the time.

4 Q That makes sense. So that's why she would need the downstairs. Okay,
5 that makes sense.

6 And then she says: I'm calling Mickael.

7 And then you respond and you say: Don't text.

8 Why did you have concerns about her texting Mickael?

9 A Oh, no, I didn't have a concern about her texting Mickael. I think she just
10 kept texting and waking me up, and it was annoying. She does that till all hours of the
11 night, and it drives me nuts.

12 Q What time was the previous one at, if you can scroll up?

13 A If she -- if she keeps ding ding dinging my phone and sending stuff or
14 whatever, then I'll write to her. And I get frustrated. I go, don't text, like stop.

15 Q But these were around 10, 11.

16 A I don't know. I was doing something where I was like don't text me, don't
17 bother me. Maybe I was doing a Zoom. And that's what she also does. She keeps
18 sending me messages when I tell her I'm on a Zoom to stop texting or stop sending
19 messages, because it keeps breaking it up.

20 Q Okay.

21 A But those are the occasions when I'll tell her not to text or bother me. But
22 there would be no reason to not -- to write don't text about Mickael. That's -- I just sent
23 her Mickael --

1

2 [3:41 p.m.]

3 [REDACTED] Okay. Just one second. Apologies.

4 If we could stay -- actually, what we'll do is, we'll switch to exhibit 8.

5 Mr. Tacopina. Exhibit 8?

6 [REDACTED] You want to just stay here?

7 [REDACTED] We can stay here.

8 [REDACTED] The page number is going to be all off.

9 [REDACTED] Oh, okay.

10 [REDACTED] It would be easier and cleaner to go to 8.

11 [REDACTED] Okay. That's fine, yeah. Go to 8.

12 But, Ms. Guilfoyle, you will note the 8 you're going to watch, see now, starts from
13 the "Don't text," it's the same messages. So 8 in your binder in front of you is also going
14 to --

15 [REDACTED]. So now you would have them.

16 The Witness. Oh, yeah. I see. You can just see more of it on this page than
17 you can see there.

18 [REDACTED] Yeah, yeah.

19 BY [REDACTED]

20 Q So for these, as [REDACTED] said, we're just rolling through. It's
21 just in the exhibit, and you have them in front of you.

22 So if we could keep going, on that same page, Ms. Wren says, "Don't forget to call
23 Julie." Now, this is January 4th, 2:37 p.m.

24 A Yep.

25 Q She says, "Don't forget to call Julie," prayer hands emoji, prayer hands emoji.

1 A Uh-huh.

2 Q And you respond, "Yes. Text me at 4:45. Rushing packing."

3 A Yes. I believe that's because I'm rushing, packing to leave for Georgia, for
4 the Georgia Senate runoff.

5 And, "Don't forget to call Julie," is Julie Fancelli, because Caroline kept calling and
6 bugging me and asking me to call Julie and say thank you. I mean, for the love of God,
7 the woman gave \$3 million. Will you call her and say thank you? And it's like, okay.
8 She kept bugging me about it.

9 Q And I assume --

10 A And I never reached her.

11 Q Okay. And that actually makes sense, because if you scroll down, in all
12 caps, she texts again, sometime after 6:14, saying, "Call Julie."

13 A Yeah.

14 Q And then you respond, "We are confirmed. I told Don and we are landing
15 soon."

16 Do you know what you were confirmed on, or what you were referring to?

17 A No, I don't know.

18 Q Okay.

19 A I know, "I told Don and we are landing soon," means we were probably
20 landing in -- what's the next time? Probably landing in Georgia.

21 Q Yeah. So you say, "We are confirmed. I told Don and we are landing
22 soon." And if you scroll down, she responds, "No, you're not."

23 A Yeah. And that's in green. So that must've been while we were still in the
24 air or something. It's not going through, sent this text message.

25 Q That makes sense. And then in response to, "No, you're not," you

1 respond -- and I don't know, there's no time here for some reason -- but you respond,
2 "What yes we are told Don money sent speaking Wednesday okay cool."

3 A Obviously very abbreviated.

4 Q It's a little jumbled.

5 A I write like that, as you've come to see.

6 Q So if you scroll down again --

7 A What -- oh, I'm saying, What? Yes. What? What? Yes, we are. So I
8 don't know what she's saying. But this is why it was frustrating to me, because I don't
9 know what she's talking about.

10 Q So the context --

11 A She was probably mad because I didn't call Julie Fancelli or reach her.

12 Q So the context of this suggests -- we're going to cover it -- but the context
13 suggests that the -- when you say, "We are confirmed," it suggests that you're talking
14 about we are confirmed as speaking.

15 A Uh-huh.

16 Q "I told Don and we are landing soon."

17 So when she responds, "No, you're not," if you scroll down, and you say, "What
18 yes we are told Don money sent speaking Wednesday okay cool."

19 She then responds, if we can scroll down -- hold on a second. I don't know what
20 is happening here.

21 Can you keep scrolling, [REDACTED]? There we go.

22 So she says, "This is why I called you earlier and you hung up on me. Meeting
23 with the President just finished. It was relayed to him Don was hesitant about speaking
24 so now nobody is speaking. So please thank Taylor, Andy, and Arthur for costing you
25 \$60,000. That's why I needed to call Katrina before that meeting happened."

1 You respond, "Bullshit. I told you."

2 And she responds, "Yup. And I told her, but it was my word against theirs."

3 And she -- oh, excuse me -- and you respond --

4 A "I don't want to hear this, I'm furious."

5 Q Right. So if we can scroll -- so we're going to unpack this, what she says, if
6 we can scroll up.

7 A Yeah.

8 Q So she seems to be saying -- when you say, we're good, you know, Don,
9 we're cool, she seems to say, no, this is why I called you earlier because the meeting
10 between Katrina Pierson and the President just finished, and it was relayed to him,
11 presumably Mr. --

12 A I don't even know where she's getting this from.

13 But here's the bottom line. I was frustrated with her, and still am, because this is
14 the kind of nonsense where she's stirring it up and having a spaz attack, and she's fighting
15 with Katrina, and she wants to drag everybody into it.

16 So I don't even believe anything that she's saying, just like I didn't believe what
17 Katrina was saying, because they were just both fighting back and forth.

18 Q But actually, if you remember Ms. Pierson's texts, these appear to be
19 consistent. Ms. Wren and Ms. Pierson are both saying that Ms. Pierson met with the
20 President, the President cut most of the speakers.

21 A I think Caroline is being told this by someone or something, but I don't take it
22 for the truth of the matter asserted because it made no sense to me. And turns out, it
23 wasn't true and didn't make any sense. And that's not what happened.

24 Q If we could turn to the next page, you say, "I don't want to hear this, I am
25 furious."

1 A Yes, because I don't believe her and I think it's nonsense.

2 Q So she says, "Same." And you respond, "This is your fault and we" -- I'm
3 going to posit you meant aren't speaking -- "this is your fault and we aren't speaking,"
4 unless you meant to say we are speaking.

5 A This is your --

6 [REDACTED] I think it's just meant to be we are speaking.

7 [REDACTED]. Oh, excuse me.

8 The Witness. We are speaking. No.

9 BY [REDACTED]

10 Q "This is your fault and we are speaking."

11 A Yes, because she's not --

12 Q Presumably on the day of.

13 A I don't believe any of this, meaning, I'm not -- that's why I'm furious. I'm
14 saying, what?

15 Q Okay.

16 A Yes, we are. And then I'm saying, "I am furious," and then I'm telling her,
17 "We are speaking." So I don't know what the hell she's talking about, because Don -- if I
18 said, we're, like, going to Georgia, doing everything, we're flying back with the President,
19 and we're speaking. So this is all nonsense.

20 Now you know, because then when we're in Georgia, I'm dragged into this whole
21 thing, Katrina, Caroline, all these -- everybody's already -- right? And that's why I'm, like,
22 what's going on?

23 Then she's mad because she wants me to call Katrina, because she's trying to
24 blame Katrina. Katrina's saying it's Caroline. And this is just back and forth for no
25 reason.

1 Q So she -- so when you say, "This is your fault and we are speaking," she says,
2 "It's my fault? Are you kidding me?" And you say, "Yes, actually it is."

3 She responds, "I told Katrina y'all wanted to speak and Don had approved it, but it
4 was relayed to her that wasn't true."

5 A Meaning, that we are speaking.

6 Q "So I don't know what you wanted me to do, I did everything I could."

7 A Yeah. I don't -- I didn't believe anything that she said because I knew we
8 were speaking. And that's why I was frustrated with Katrina too, because she was mad
9 at Caroline and because Caroline was obviously fighting back and forth with her. So this
10 is just back-and-forth nonsense.

11 And I'm getting mad because I actually have to go up and give a speech in
12 moments. And then I'm getting disconnected on the phone, to the best of my
13 recollection, with Katrina, and then we're trying to text back and forth, and the text
14 messages are not going through.

15 Q So actually you just stole my next question, because the next thing that you
16 text her is actually a screenshot of your conversation with Katrina Pierson that we read
17 earlier --

18 A Uh-huh.

19 Q -- where she says you -- and it's cut off -- but she says to you, "Just gave me
20 his list today. He only listed Don and Eric." You respond to Pierson, "I don't
21 understand. You aren't speaking?"

22 A You aren't speaking --

23 Q Right.

24 A -- as in her.

25 Q Right. As in you were --

1 A Yes.

2 Q -- asking Ms. Pierson, "You aren't speaking?"

3 A And she was speaking. She always was speaking, it was her event, and she
4 did speak. And she was paid. And that's, like, fine. There's nothing wrong with that.

5 Q And so then on the next page, if you look under your screenshot, you say,
6 "Really Eric and Don speaking. And I will talk to him tonight."

7 And she responds, "Don and Eric can speak, quote, 'if they want' for 3 minutes."

8 A Right.

9 Q And you respond, "And you will pay us, that's the deal, so don't even think
10 about it. And I will see him in an hour. You will send the funds as promised. And I'm
11 going to deal with all these people. What a fucking joke."

12 A Yes, it was.

13 Q What did you mean, "And you will pay us, that's the deal, so don't even think
14 about it"?

15 A Meaning, because she came to me and said, Charlie Kirk is going to pay you
16 guys from Turning Point Action, and I said, okay. If someone said they're offering to pay
17 you, and they've paid you on, like, 25 prior other occasions for your speaking
18 engagement, would you say, "No, don't pay me?" even though they always pay you and
19 that's what -- you know.

20 Q So your position was that --

21 A That Caroline is full of nonsense and that they're fighting back and forth.
22 And, you know, it's just -- it's super annoying.

23 Q So your position was that even if you didn't speak, you should still get the
24 60,000 even if it was just Don?

25 A No. I don't know anything about that, because that never even came into

1 fruition and never even crossed my mind. So I'm not going to speculate on about it in
2 retrospect.

3 What I do know is that whether I was paid or not, I would've spoken. That's
4 what I do. But if someone promises to pay you, I would like them to fulfill their
5 contractual obligation to pay you.

6

BY [REDACTED]

7 Q But when you say here someone promised to pay you, Charlie Kirk is not in
8 these conversations.

9 A Doesn't matter.

10 Q Well, let me finish.

11 A He never makes a promise -- okay. Sorry.

12 Q Is it because -- are you saying that, is Ms. Wren here acting as Charlie Kirk's
13 agent?

14 A As a go-between because she's running this event with Katrina and the
15 Women -- whatever the name is -- for -- what is it?

16 [REDACTED] Women for America First.

17 The Witness. Women for America First. And Charlie is one of the groups.

18 There are a number of groups. And I think RAGA was another group, the Republican -- I
19 don't know.

20 [REDACTED] Attorney Generals Association?

21 The Witness. Yeah.

22

BY [REDACTED]

23 Q Because here's what it looks like.

24 A Yeah.

25 Q It looks like there were disagreements between different power structures --

1 A Uh-huh.

2 Q -- as to who's going to speak on the 6th.

3 A Okay.

4 Q Is that fair?

5 A Well, between them, because I wasn't in charge of the list, so that's what I'm
6 seeing here --

7 Q Yeah.

8 A -- back and forth.

9 Q And it sounds like those different, competing interests had different -- had
10 both expressed to you that perhaps someone had said you were not speaking.

11 A Yeah.

12 Q Is that fair?

13 A And was --

14 Q Separate from what's true --

15 A Right.

16 Q -- I'm just saying they both expressed to you that that's what they
17 understood to be the case.

18 A And I'm frustrated to listen to this back and forth because it's ridiculous and
19 immature and sophomoric.

20 Q Yeah. And then if we could scroll down, Ms. Wren says to you, "That is not
21 fair. I can't pay you all for a speaking engagement you aren't speaking at and are
22 refusing to allow me to publicize and not to mention I got humiliated in the process by
23 these assholes. I am so furious."

24 A Uh-huh.

25 Q And you respond, "Bullshit, done for life."

1 A Yep.

2 Q "You and me."

3 A Correct.

4 Q So then it -- I mean, it sounds like Ms. Wren is telling you that her
5 understanding is you aren't speaking.

6 A Which is false.

7 Q Well, separate from what -- I'm just -- is it fair to say that she's expressing to
8 you that her understanding is you aren't speaking?

9 A I don't know if it's her understanding or just a complete lie.

10 BY [REDACTED]

11 Q Well, she's sitting here telling you that on January 4th -- and these are
12 6:14 p.m. and after from the original -- from when the strand starts.

13 A Uh-huh.

14 Q Ms. Pierson has just got out of the meeting with the President, and she is
15 telling you: That's why I called you earlier. That's why I needed you to call Katrina
16 before that meeting happened because -- this is on the -- on the page before, where she
17 says, "This is why I called you earlier. The meeting with the President just finished, and
18 it was relayed to him," presumably by Ms. Pierson, "that Don was hesitant about
19 speaking, so now nobody is speaking.

20 "So please thank Taylor," presumably Budowich, Andy, presumably Surabian, and
21 Arthur Schwartz, "for costing you \$60,000," where she's clearly suggesting, whether you
22 agreed or not, but she's clearly suggesting there that Budowich, Andy Surabian, and
23 Arthur Schwartz advised Don against speaking.

24 A Uh-huh.

25 Q And Katrina mentioned those hesitations to the President. And that's why

1 you two --

2 A I guess.

3 Q -- were taken off the list.

4 A I don't know.

5 Q And I'm not saying you do. I'm saying the suggestion there clearly seems to
6 be that it was relayed to the President that Don was hesitant to speak, so now you're off.

7 A And I don't believe any of that.

8 Q Oh. And I'm -- no, that's fair.

9 A Like I legitimately don't.

10 Q And your opinion is valuable to us. Whether that's factually correct isn't
11 what I'm asking you, if that's fair. Do you understand?

12 A Well, yes, I totally --

13 Q Okay.

14 A -- get what you're saying. I just do not believe that Katrina went and said
15 Don does not want to speak at your event for you.

16 Q Okay. And totally understand your position on that.

17 A Just that would never happen.

18 Q And on the next page, when you say, "This is your fault and we are speaking.
19 Yes, actually it is," she says, "I told Katrina y'all wanted to speak and Don had approved it,
20 but it was relayed to her that wasn't true. So I don't know what you wanted me to do.
21 I did everything I could."

22 You send her Pierson's text, and say, "Really Eric and Don speaking, and I will talk
23 to him tonight."

24 And she says, "Don and Eric can speak, quote, 'if they want' for 3 minutes."

25 Now, to my colleague's point a moment ago, your response, "And you'll pay us,

1 that's the deal, so don't even think about it," suggests that what you were saying was,
2 regardless of whether or Don spoke, you thought that the understanding was you would
3 be paid the \$60,000, that was the agreement. Or at least at a minimum that if Don
4 spoke and you didn't, you would still get paid \$60,000 to Tru Media.

5 A I think that's all not even anything that was, like, crossing through my mind.
6 I think that's looking at it a year and a half later and trying to make sense of what was
7 very fast and quick --

8 Q Okay.

9 A -- jumbled texts. And I didn't think for a minute that we weren't speaking
10 because I knew that we were.

11 And so that was that. So I was just tired of her trying to drag everyone into
12 her personal arguments with Katrina, with Taylor, with Andy, with Arthur. Whatever
13 else was going on, I was working, I was about to get on stage and give a speech, and I
14 didn't want to hear another word about it, and I didn't believe it for a minute.

15 Q When she says "an engagement you aren't speaking at and are refusing to
16 allow me to publicize" --

17 A She's just arguing.

18 Q Well, could that have been the reference to you saying no to posting the
19 graphic on your Instagram page?

20 A I have no idea.

21 Q Okay.

22 A Because, as far as I know, my Insta story did have a picture on it --

23 Q Okay.

24 A -- with my picture and speaking at the Ellipse.

25 Q We've had people search for that and we've been unable to even find an

1 Insta story with that. So if you have that and there's a record of that, please make a
2 note to supplement --

3 A Yeah.

4 Q -- your production with that.

5 [REDACTED] And we'll just go off the record.

6 [Discussion off the record.]

7 The Witness. I guess my point is, is if she's saying, how am I going to be
8 publicized, and her put that out, if I'm not speaking, this makes no sense. The whole
9 thing is illogical.

10 BY [REDACTED]:

11 Q When she says, "Not to mention I got humiliated in the process by these
12 assholes, I am so furious," do you have any idea what she's referring to just based
13 on your --

14 A I think she's referring to those guys.

15 Q By -- Budowich -- Budowich --

16 A Taylor, Andy --

17 Q -- Schwartz and Surabian?

18 A -- Arthur, and, yeah, Katrina.

19 Q Okay. And then --

20 [REDACTED] I'm sorry. If I can just clarify. And they humiliated her
21 by doing what?

22 The Witness. I don't know. But I think when she's referring assholes, and then
23 she says assholes again, I don't know, but I'm wondering if maybe that's who she's
24 referring to.

25 Wasn't there two references?

1 ██████████ I think that was the only asshole actually.

2 ██████████ Okay. Well, I'm not --

3 BY ██████████:

4 Q I'm not saying you're wrong. I'm just going back and checking. I don't
5 know that she referred --

6 A Okay.

7 Q -- to them as assholes. She may have, like, in person, but I don't believe in
8 the text chain that we were just looking at.

9 A Let me think.

10 Q But to the extent that your initial reaction was I think those were the people
11 she was referring to when she was saying "those assholes," that is helpful because it's
12 unclear who she's talking about in --

13 A Well, I don't know. That's the thing. Because she calls and talks very loud
14 and, like, screams the whole time and gets mad and whatever, but, you know,
15 she's -- she's like a steamroller.

16 Q So if you scroll down to the next page it actually catches -- did you have a
17 question on that?

18 BY ██████████

19 Q Yeah. Just I think earlier you had mentioned something about a
20 contractual agreement.

21 Ms. Guilfoyle, did you actually have an agreement with anyone for these speaking
22 fees we're talking about, or was it just more of these casual conversations --

23 A Oh, we never signed, like --

24 Q I'm sorry. Remember we have to keep -- one at a time.

25 A Sorry.

1 Q Okay.

2 A I thought you were done.

3 Q Did you have an agreement with anyone besides these conversations you
4 had with Ms. Wren?

5 A Wouldn't know. But, again, that wouldn't be, like, unc customary, because
6 we just literally do it on word. And when you've done that, you know, I don't know,
7 30-plus times with the same entity, that is a trust thing, meaning, I never had any
8 problem. They would have me speak, and then I would just send an invoice, and then
9 that was it.

10 Q But you've previously done written agreements with Turning Point though,
11 haven't you?

12 A No.

13 Q Because from Google searches, we've seen there are agreements that show
14 you and Don Jr. getting paid by Turning Point.

15 A Well, what do you mean agreements?

16 Q I'm just saying --

17 Mr. Tacopina. Written agreements.

18 BY [REDACTED]

19 Q It seems like there were written agreements that -- for a speaking event,
20 that you have engaged in an agreement that --

21 A Oh, I don't --

22 Q -- that you recall?

23 A I don't recall ever seeing anything like that.

24 Q Okay.

25 [REDACTED]. Was this your normal -- just out of curiosity, while we're on it -- was

1 this your normal speaking fee for Turning Point?

2 The Witness. Yes.

3 [REDACTED]. \$60,000 for --

4 The Witness. No. Thirty.

5 Mr. Tacopina. Thirty.

6 BY [REDACTED]

7 Q \$30,000 for each of you for speaking pretty briefly. It was a minute, 2
8 minutes maybe?

9 A Yeah. But I make upwards of 75,000.

10 Q Per speaking engagement?

11 A That's right.

12 Q Okay. Yeah. I understand.

13 A This is for the student groups.

14 Q For the Turning Point students -- student groups, you make \$75,000 --

15 A No. I can receive up to an amount, meaning, in general, for a variety of
16 different speaking. It just depends. Sometimes it's 30, sometimes it's 6.

17 But because it's, like, student events and Turning Point Action, we usually do, you
18 know, an amount that is lower. And then also Charlie has bought, you know, purchased
19 books and things of that nature. It's just all different depending on the venue.

20 Q How did you decide on 60,000 for this one?

21 A I didn't decide on it. She sent it and said, hey, Charlie's going to pay you
22 each -- pay you all. Oh, okay, great.

23 Q So did you assume that she negotiated the 60 for the two of you?

24 A I think that is what I had received before.

25 Q Okay.

1 A From Charlie. I would get 30.

2 Q Was it your understanding that she negotiated that number?

3 A That was usually the amount that I would get from Turning Point Action.

4 So I don't know if she negotiated or not or he just offered what he always paid me.

5 Q Okay. So it was either Charlie Kirk or -- excuse me. It was either Turning
6 Point or Ms. Wren that set the amount?

7 A Yes. She is the one that came to us. We did not solicit payment. She
8 said, Charlie is going to pay you all. And we had done an event in November for him,
9 and so then this got invoiced for this.

10 Q Okay. And then going back to -- oh, I can't even see the page number. I
11 think it's -- it says, "bullshit, done for life," at the top. So I think it's the page under this.

12 A Yes, that's me.

13 Q There we go, yes.

14 So you say, "bullshit, done for life, you and me."

15 And she responds, "Really? I am the one who set all of this up for you and is
16 constantly looking out for you and I lost to them. If y'all are speaking obviously you will
17 get paid. Julie has been burned so bad in all of this. So if I have her pay you \$60,000 to
18 speak at an event and then you don't speak, how does that make me look? I just can't
19 do that. She would never speak to me again. She only cared about you speaking."

20 And you respond, "Bullshit, and Don is speaking, and I told you, wait one hour."

21 And she says, "It wasn't up to me to wait. Katrina had a meeting with POTUS at a
22 set time. I called her as soon as we hung up and told her I reconfirmed that Don and
23 Kim wanted to speak."

24 So there's more on the next page, but let's break some of this down.

25 When she responds, "Really? I am the one who set all of this up for you and is

1 constantly looking out for you and I lost to them."

2 A Yeah. Well, by the way, this is just completely false. I never said and
3 never had a conversation with her about pay me money if we do for anything like that, or
4 trying to do something against Julie. This is all completely untrue, nonsense, more, you
5 know, ridiculous behavior by Caroline.

6 She's in a complete, like, emotional state of psychoticness at this point. And
7 that's why I said, I don't want to deal, I'm done, because I can't stand liars, and I can't
8 stand people that make nonstop trouble, trying to manipulate and trying to poke the
9 cage, fighting with everyone, making a complete nightmare.

10 So subsequent to all this happening, I didn't even talk to her for months, because I
11 don't want to deal with it. I don't need this in my life, because this is ridiculous.

12 This is for something -- for 4 days, a 4-day window in my life, where I was, like,
13 okay, yes, we will go speak and support the President, and this is what I end up dealing
14 with.

15 That's why I don't respond back to her messages, and that's why I don't call her.
16 No offense, like, I'm not the only one.

17 Q Well, and the context is very helpful, so we appreciate that.

18 When she says, "and is constantly looking out for you and I lost to them," do you
19 have any idea of the them that she's referring to there, who she lost to?

20 A I think she's mad at the guys.

21 Q You think it's the guys?

22 A Like, yeah, Taylor, Andy, and Arthur. I don't know. I just -- I don't even
23 see it that way, meaning, if this is what it's like in her mind, I guess, is a glimpse of it.
24 But the whole thing was nonsense for nothing.

25 Q Well, so then she says -- understandably she talks about how she

1 feels -- Ms. Fancelli -- well, actually, do you understand what she means? She says,
2 "Julie has been burned so bad in all of this." Do you know what she's referring to?

3 A No idea.

4 Q Were you aware of Ms. Fancelli's preference for who would be speaking at
5 the event?

6 A Absolutely not, because I had never reached her and I never spoke to her. I
7 have no recollection whatsoever of speaking to her.

8 Q Okay. And --

9 A Meaning, regarding this event.

10 Q Right.

11 A Period.

12 Q Right. And so sitting here today, you have no idea what she was referring
13 to about, "Julie has been burned so bad in all of this"?

14 A Literally, I don't.

15 Q Okay. And she says, "I just can't do that, she would never speak to me
16 again. She only cared about you speaking." And it looks like she's referring to Ms.
17 Fancelli.

18 Did you have any reason to think that Ms. Fancelli cared about you speaking in
19 particular?

20 A Oh, she really likes me a lot. She was always a big fan of mine. She used
21 to tell me when I talked to her, you know, during the campaign, oh, Kimberly, I loved you
22 on "The Five", I think you're great. That was it, you know.

23 So I don't know if Caroline is using this for some -- she's mad, she's upset, she's
24 being, like -- you know, I don't know what she's doing. I can't -- I can't understand how
25 she behaves half the time, so it's very hard for me to decipher, but she was in an

1 emotional state and upset.

2 Q But based on your understanding of your relationship with Ms. Fancelli, you
3 actually weren't surprised that Ms. Fancelli cared that you would be speaking?

4 A I doubt that she said that.

5 Q You doubt that Ms. Fancelli said that?

6 A Yeah. I don't think -- she's not the type to, like -- she's just a very nice lady.
7 She's not somebody that plays, like, emotional games and acts, you know. She's 85,
8 she's a sweet lady.

9 BY [REDACTED]

10 Q Ms. Guilfoyle, we'll come to it, but -- so you're saying Ms. Wren's statements
11 here are just all fabricated?

12 A I'm not saying they're all fabricated. I'm saying, I personally, okay, do not
13 believe them because it did not comport with what I knew was happening, that we were
14 speaking, we did speak, and there was never any question of it.

15 The only people I ever heard this craziness from was Katrina and Caroline. And
16 they were arguing with each other. And I didn't want to get dragged into their turf war.

17 Q But who was in charge of the event, like --

18 A I believe Caroline, Katrina, the Kremer women, they were running it. That's
19 what they said. Katrina told me this was her event, she was actually working it. These
20 people apparently -- again, from subsequent reports in the news -- were on permits and
21 everything else. So not my event.

22 Q Okay. So did you ever speak to the Kremers?

23 A I saw the mom at the event backstage --

24 Q Okay.

25 A -- that -- the morning of the 6th.

1 Q So at the time --

2 A But, no, I don't have any relationship with them.

3 Q You're talking -- so the people you said you believe are in charge, are the
4 Kremers, who you didn't speak to prior to the event, and then are Katrina Pierson and
5 Ms. Wren, who both seem to be expressing consistent messaging to you, and those are
6 the people that you just said you believe are in charge of the event.

7 So what would be helpful for us is to understand, you have the people you say are
8 in charge, they tell you consistent messaging --

9 A Not really.

10 Q Well, we both --

11 A Because then -- you're trying to tell me, oh, did I have involvement, did I run
12 this event? If I was running the event, why would I be leaving -- hearing any nonsense
13 from anybody saying stuff about the list or who was speaking? It just all makes no
14 sense.

15 Q Well, respectfully, I'm not suggesting that. What we're trying to get insight
16 into --

17 A Yeah.

18 Q -- is that we've seen that you've spoken -- you've gotten conversations with
19 Ms. Pierson --

20 A Uh-huh.

21 Q -- and you had conversations with Ms. Wren.

22 A I had conversations --

23 Q If I could just finish.

24 A Yeah, sorry.

25 Q Both those conversations, at least from my reading, have consistent themes

1 within them, namely, they both seem to indicate that there were conversations that the
2 President had about who would be on the speakers list.

3 And after those conversations, they both expressed that they understand that you
4 may not be speaking. Of course, you do speak.

5 So my question is, you just said you believed those people were actually in charge
6 of the event. Did you go and speak to anyone else or have anyone else speak on your
7 behalf, whether Don Jr. or someone else, to confirm that you, in fact, would be speaking?

8 A This was not even an issue. The only time I heard about this was with
9 Caroline and Katrina, who were at that exact frame of -- frame and time, arguing with
10 each other. I literally dismissed it.

11 Q Aren't they in charge though? What I don't understand is that --

12 A I guess, but I didn't understand --

13 Q -- if there's an event and two people that you just said are in charge, if
14 someone invites me to a birthday party and they say, "You're not on the guest list," and I
15 show up, and it's their party, that seems off.

16 So it seems like someone else must be in charge, not Ms. Wren or -- purely
17 Ms. Wren or Ms. Pierson.

18 A Katrina Pierson told me this was her event. It was the Women for America
19 First. And Caroline Wren was working on the event as well. Okay? I don't know. I
20 don't have knowledge of it otherwise because it wasn't my event. This is just what they
21 said.

22 Q Did you ever ask Don Jr. to confirm that you all were speaking?

23 A No. Because I wasn't worried about it because I knew we were.

24 Q But the only reason you knew you were speaking was because Caroline
25 Wren came to you about being a speaker. Is that correct?

1 A No, because I always speak at the President's events and introduce Don. I
2 do it all the time. I'm one of the best speakers out there, along with Don and the
3 President, who's fabulous.

4 Q So is it fair to say then you thought yourself would be speaking because the
5 President would expect you to speak, because that's what -- you're his usual --

6 A I always did.

7 Q Okay. So you agree that Ms. Pierson did, in fact, meet with the President?
8 Is that something --

9 A And they asked us to speak and we spoke. And I never heard from anybody
10 with any credibility that we weren't speaking. So this was just nonsense. It was just
11 noise.

12 [REDACTED] Want me to scroll down on this?

13 [REDACTED] Yeah, just one second. We were on the page, I think, that
14 said -- actually, if we could just go back -- I'm sorry, one more second -- just because on
15 the page before, I believe -- I just wanted to clarify.

16 BY [REDACTED]

17 Q Going back to the point that my colleague just made, in terms of who you
18 thought was responsible, when you are dealing with her and say, "And I will see him in an
19 hour, you will send the funds as promised, and I'm going to deal with all of these people,"
20 to the extent that you can remember, what people were you talking about there?

21 A Just a generic, just all this nonsense.

22 Q Just all these people?

23 A Just all this nonsense.

24 Q Okay.

25 A Because it was just so ridiculous.

1 Mr. Tacopina. We're saying to the extent that you told her --

2 The Witness. Yes. And I think that also everybody was poking the cage and
3 trying to, like, stir the pot. And they want -- she was in a beef with those guys, and she
4 was trying to get me to join and jump in her beef. So that's why I took no credibility
5 with any of this, and it turns out that I was right.

6

BY [REDACTED]

7 Q Okay. So she says -- we were at the bottom of the page -- she says, "I
8 called her as soon as we hung up" -- and she's talking about Pierson, I believe -- "I called
9 her as soon as we hung up, and I told her I reconfirmed that Don and Kim wanted to
10 speak."

11 And then on the next page, you respond, "She said he gave her a list. I told Don
12 this is bullshit." She, presumably being Ms. Pierson, and he, presumably being the
13 President. That's our understanding.

14 And then Ms. Wren says, "Agreed. It is bullshit."

15 And then you respond, "I am speaking here tonight too, and you never said call
16 Katrina. I told you tell her. Done for life."

17 A Yeah.

18 Q When you said "I am speaking here tonight too," that's Georgia, right, that
19 you're referring to --

20 A Uh-huh.

21 Q -- that you were speaking in Georgia? Okay.

22 And then she responds, "You're done for life with me because I won't pay you a
23 \$60,000 speaking fee for an event you aren't speaking at?"

24 A Also, if I may interrupt you for one moment, ma'am, the green that you see
25 is because all these messages are not going through, and everything's coming in out of

1 order, just like when I was with Katrina back and forth.

2 Q Well, the green is coming in as a text message.

3 A Yeah. I don't know why, because it didn't come through for WiFi.

4 Q Yeah, it didn't -- but it comes through because it's in green. If it had not
5 come through --

6 A Oh, no, that's not what I'm saying. I'm saying, it wasn't coming through on
7 blue because things were scrambled, so it was coming in on text message.

8 Q And that's fair. I will just say, like, in contrast to the other thing, if it wasn't
9 coming through, this would've shown that little red --

10 A Yeah.

11 Q -- not delivered by.

12 A But the ones that I was sending were not coming through, and I had to keep
13 hitting resend.

14 Q But I don't disagree that you're right, there's something green, blue, WiFi or
15 Apple iPhone thing or whatnot. But I don't think that impacts the deliverability. It's
16 just --

17 A That's not what I was saying.

18 Q Yeah.

19 A Yeah.

20 Q I think we're on the same page.

21 A It just wasn't coming through with the WiFi.

22 Q So she responds, "You're done for life with me" -- oh, I just read that one,
23 that's looking and saying -- and then she says fix asterisk. I'm not sure what that is.
24 She says, "But as of now, Katrina and Taylor have sabotaged my entire event that I killed
25 myself working on for 2 weeks."

1 A Correct. This is about her.

2 Q And do you know, earlier, when she was talking about those assholes, those
3 people, the people sabotaging her, earlier you had, I guess, assumed because she had
4 complained about Budowich, Surabian, and Schwartz, but is it possible that the assholes
5 she's actually referring to are Katrina Pierson and Taylor Budowich?

6 A It's a lot.

7 Q Understanding, like, I know I'm asking you to speculate there, but the
8 context now.

9 A I wish everybody would just not, like --

10 Mr. Tacopina. It's possible, correct?

11 The Witness. It's possible.

12

BY [REDACTED]

13 Q Okay.

14 A It's all -- you know.

15 Q Did she ever have any --

16 A This is her having a meltdown.

17 Q And did she ever have any conversations with you about how they
18 sabotaged her and sabotaged her entire event?

19 A No, not that I recall. It was just all this.

20 Q Do you have any idea whether it was in regards to the speakers that would
21 be speaking?

22 A No idea.

23 Q Okay. And she says, "And I can't even get you to pick up the goddamn
24 phone and thank Julie after asking you 75 times. This poor woman has donated a
25 million dollars to" -- if we keep scrolling -- "Don's Senate PAC and \$3 million to this rally,

1 and you still can't take 5 minutes out of your day to thank her. It's so humiliating. And
2 then you have the audacity to ask me why I won't have her pay you \$60,000?"

3 A And I never said that, so that's complete nonsense.

4 Q You never said what?

5 A I never said, tell Julie Fancelli, or, get me paid. I never said that. This
6 never even happened. She's just writing it. That's what happens with her.

7 Q Well, so if we pick it apart, I mean, I understand the first part about not
8 picking up the phone. Let's table that for a moment. You do pick up the phone.

9 "This poor woman has donated \$1 million to Don's Senate PAC." Is it your
10 understanding that that is true or untrue?

11 A I don't even know what Don's Senate PAC is.

12 Q The Save the U.S. Senate PAC. Are you unfamiliar with the Save the U.S.
13 Senate PAC?

14 A Oh, for the -- for Georgia?

15 Q Uh-huh.

16 A No, I've heard of it.

17 Q Okay. Are you aware of Don Jr's participation in it?

18 A Yes. But is that what she's referring to, Don's Senate PAC?

19 [REDACTED] I guess the question is, what did you understand her to be
20 saying?

21 [REDACTED]. Yeah,

22 The Witness. I'm just reading it right now, trying to figure it out. I guess that's
23 the Georgia PAC.

24 [REDACTED]. I'll proffer --

25 The Witness. The Senate PAC, I don't know.

1

BY [REDACTED]

2

Q Yeah. I will proffer to you that several witnesses have said --

3

A Okay, perfect, yes.

4

Q -- that the Save the U.S. Senate PAC was --

5

A I know that he helped and was involved with the Save Georgia or Senate,

6

whatever it was called.

7

Q And to be clear, it's unclear whether he owned or started it. Some of his

8

advisers may have. But it has been frequently associated as Don's Georgia Senate PAC,

9

yeah.

10

A Sure.

11

Q And without asking you to say whether you know the numbers, but were

12

you aware that Fancelli had donated any money to Don's Save the U.S. Senate PAC?

13

A No, I was not.

14

Q Okay. And were you --

15

A Until this message.

16

Q Until the message.

17

And did you know that Ms. Fancelli had donated \$3 million to the rally until -- like,

18

before this message?

19

A Is this the message chain where she says she donated 3 million? I'm

20

unfamiliar with it.

21

Mr. Seigel. Right here.

22

The Witness. No, but is that the first time she says it, or does she say at all prior?

23

BY [REDACTED]

24

Q We can go back and check that. It's just a matter of going back.

25

A No, I believe she also said something to me on the phone. I'm not sure

1 actually, I don't know. I just know that I remember the amount 3 million.

2 Q Okay.

3 A And I refer to it in that message exchange with Katrina Pierson, which is
4 where I got that number from, was from Caroline, and repeated it to Katrina.

5 Q And you respond to her and say, "And FYI, called many times and texted her
6 and called her again. She's not answering. Where is she? I have called her a million
7 times. And I will tell her all of this. You are way out of line."

8 Is it your understanding that the use of "her" there is referring to Julie Fancelli?

9 A The use of "her" -- oh, meaning, like, the reference to her?

10 Q Yes.

11 A Yes, Julie Fancelli.

12 Q Okay. So really quickly, we're going to flip to your phone records on exhibit
13 23.

14 A Uh-huh.

15 Q If you look around that time, so this is, I believe, January 4th, so the only
16 calls that we have in your records are on page 31, where you, I believe, called her on
17 December 31st for the 10 seconds.

18 A Uh-huh.

19 Q And then the only other call that we have is you called her on January 5th,
20 presumably the day after these texts, and it was 7 seconds, which suggests that it went to
21 voicemail. We'll --

22 A I don't think I ever spoke to her, like, I'm 99.9 percent that I did not speak to
23 her during this time.

24 Q Yeah. So actually you produced texts, I believe -- what was the exhibit
25 number?

1 [REDACTED] Exhibit 8. Oh, excuse me, 9.

2

BY [REDACTED]

3 Q Yeah. So you produced texts --

4 A Like, the next one?

5 Q Yes. These are texts that you produced between you and Ms. Fancelli.

6 And on December 31st you text her and say, "Hi, it's Kimberly. Called you. Keeps
7 going to voicemail."

8 A Pardon me. Wait a second. Okay. Exhibit 9, page 2.

9 Q Exhibit 9 --

10 A Got it.

11 Q -- top of page 2.

12 A Okay. Oh. Let me see, there's a page that precedes.

13 Okay.

14 Q So this lines up with what we were just looking at on the phone records,
15 where you text her and say, "Hi, it's Kimberly. Called you. Keeps going to voicemail."

16 A Oh, okay.

17 Q That's why I said, like, 7 seconds usually indicates a voicemail.

18 A Yeah.

19 Q And then she texts back and says, "Can you speak now?"

20 We don't have a record of you speaking, but do you know if you ever reconnected
21 with her after December 31st? Did you call her and speak with her after this text?

22 A No, I don't think that I ever -- like, right after it, between then and
23 January 6th? I don't know. Looks like the rest of them. But I don't think I ever
24 reached her is what I'm saying.

25 Q And then on January 4th, you text her and you say, "Hi, honey. Called you

1 many times. Keeps going to voicemail."

2 A Uh-huh.

3 Q And then on January 4th, it says 11:37 p.m., "Please call as soon
4 as you're" -- "Please call as you're able. We are on our way to" --

5 A "Please call soon as you're able."

6 Q I'm sorry?

7 A "Please call soon as you're able."

8 Q Yes. "We are on our way to D.C. and watching the President. I spoke,
9 then Don, now POTUS in Georgia, flying back with him. Very excited about Wednesday.
10 Are you here? XOXOX." And I don't know if you're referring to here --

11 A Well, it's obviously kind of broken up. It's not, like, a complete sentence
12 thing. I mean, it doesn't make -- yeah, "Please call me soon as you're able. On our way
13 to D.C. Watching the President" -- I mean, that was Georgia -- "I spoke, then Don, now
14 POTUS" -- yeah, "Now POTUS in Georgia. Flying back with him."

15 Q Yeah. So I do my best with the punctuation issue to read it. So if I'm
16 misreading it feel free to correct it.

17 A Yeah, no, I mean, basically it's me saying -- reaching out to her again. Oh,
18 call her, tell her thank you, you know, gosh, she's a nice lady, she loves you, like that.

19 Q Okay. And so I will just say in the text messages you
20 explained -- exchanged with Ms. Wren, when you say --

21 A But can I show you something? This never even went through. It's
22 unsent. This is what I'm telling you. Because then I was flying back, and I was trying to
23 send it. I guess I was on Air Force One. And it's not -- it never went through. She
24 never got that.

25 Q Oh, okay. So you're -- and that actually would make sense because we only

1 had the records of the two calls. So that would make sense that it never went through.

2 A Uh-huh.

3 Q So we didn't have you calling her that many times. We just had the record
4 of the two.

5 A Oh, and I didn't call her a million times. That was just hyperbole.

6 Q That's what I figured.

7 So if we can flip back to that --

8 A That was me trying to get Caroline off my back.

9 Q And that is fair.

10 A And it didn't work.

11 Q And Ms. Wren responds, if we can flip back to exhibit 8, she says, "I cannot
12 believe you are angry at me. It literally makes no sense. But, yes, please tell Julie that
13 I booked you and Don to speak at an event. And then Don's political team advised
14 against it and then told the President you didn't want to speak and that you'd still like her
15 to pay you \$60,000."

16 So is it fair --

17 A She's being obnoxious.

18 Q And she's certainly suggesting that what happened was that Don's team
19 suggested he shouldn't speak.

20 A She wasn't there.

21 Q Okay. But to your knowledge, then none of that happened?

22 A I mean, she wasn't in the White House. She didn't go to speak to them.
23 There's no record of that, that I was made aware of.

24 Q Okay. But what I'm --

25 A I mean, she wouldn't, you know.

1 Q But what I'm referring to is where she alleges that Don's political team
2 advised against it, do you have any knowledge of that?

3 A No, because I didn't speak to them directly about it.

4 Q And you didn't --

5 A All I know is, Don just -- you know, we said we're going to go and we went.

6 Q And you had no conversations with Don about what those advisers told him?

7 A No.

8 Q Okay. And he never voiced concerns to you, "Hey, my guys are telling me
9 this may not be a good idea"? No conversations like that?

10 A No, not that I recall.

11 Q Okay. On January 5th, 20- -- oh, go ahead.

12

BY [REDACTED]

13 Q Before we do that, so far we've talked about that you had no involvement in
14 setting this up with Ms. Fancelli.

15 A Uh-huh.

16 Q Can you just give us some more background on why? It seemed initially
17 you'd indicated that this was Ms. Wren's project and that Ms. Wren was the one who
18 went to Fancelli -- Ms. Fancelli -- on her own. Ms. Wren set this up.

19 A I said that I don't know which came first, the chicken or egg.

20 Q Okay.

21 A Did Julie contact Caroline or did Caroline contact Julie?

22 Caroline has a relationship with Julie Fancelli.

23 Q Okay. And so just here when she's wanting you -- just so we have
24 some background, just the flavor of it -- when she's wanting you to contact Ms. Fancelli
25 and reach out to her, it appears that Ms. Wren is kind of framing this as, this seems like a

1 kind of a Trump victory kind of thing, if that makes sense.

2 A It's not whatsoever.

3 Q Okay. So help us understand, why is it that Ms. Fancelli, in donating
4 money, would somehow feel slighted if she doesn't speak to you, as opposed to, if she's
5 working with Ms. Wren and that's who her contact is and that's who she's working with
6 and it's not a Trump-related thing?

7 A So it was in no way, shape, or form anything campaign-related. It had
8 nothing to do with Trump Victory Finance Committee. It had zero to do with us
9 whatsoever. The campaign was over.

10 So I did not go in any capacity other than myself as Kimberly Guilfoyle, to go and
11 speak at an event with the family, with Don, with Eric, with Lara, and with the President.
12 That's what I do. And that's that.

13 It had nothing to do with Trump Victory, nothing to do with me. I don't
14 know -- Caroline saying that, does Julie Fancelli like me? Yes, because I treat her very
15 nicely and with respect, and she's a nice woman. And that's it.

16 So she's just obviously having a meltdown, and she feels that she's being slighted
17 by various folks. She's acting out and antagonizing the situation.

18 Q But Ms. Fancelli, did you have a sense of who Ms. Fancelli thought she was
19 donating to?

20 A No. Because I didn't speak to her.

21 Again, I don't even know if she ever gave the money. I'm relying on hearsay
22 from Caroline Wren that said that Julie Fancelli gave \$3 million. I have no direct
23 knowledge that she, in fact, did so.

24 I referred to that dollar amount because it was told to me by Caroline Wren, and
25 then I repeated that to Katrina Pierson in those messages and on those calls that I believe

1 transpired during that time when we were in Georgia and getting disconnected. That's
2 as simple as this is.

3 BY [REDACTED]

4 Q So if we could turn to page 8 of the exhibit. This is after Ms. Wren. So
5 this is the next day, Tuesday, January 5th, 12:51 p.m. She sends you a list of presenters.

6 Now, this we believe to be a list of speakers on the night of January 5th at the
7 event held at the townhouse. And we were wondering if you could review that and
8 confirm if that's your understanding of what that list is.

9 A So this is 10 -- 12:51 p.m.?

10 Q Yeah. So this text is at 12:51 p.m. She's sending you a list of presenters
11 that are starting at 6:30 p.m., and the side image is cut off, but it looks to be running from
12 6:30 p.m. to sometime after 8:30 p.m.

13 A Yeah, I don't know. I don't know what that is.

14 Q Okay. We'll come back to that.

15 The picture underneath it appears to be protesters at the Freedom Plaza on
16 January 5th?

17 A I don't know because I was not there. I did not attend.

18 Q No idea? Okay.

19 A I only showed up for the 6th.

20 Q And then you respond, "At the townhouse. These guys are presenting.
21 I'm going to rest and Don coming back, said for me to be here to VE with him. He said
22 yes to tonight, so that's good."

23 A Oh, yeah, "At the Townhouse. These guys are presenting," is a question.

24 Q Okay.

25 A Like, she sent me that, and as you see frequently, I don't use punctuation

1 because I'm typing and talk to text very fast.

2 Q Okay.

3 A And I just don't do it. And some people complain to me about it because
4 they like punctuation. And I just, so sorry, but do you want me to respond back to your
5 text or not respond back?

6 Q That's fair.

7 A So these guys are presenting, like, I'm asking, like, what is she sending me
8 this, like, what does this mean, because it says presenters. So, "At the townhouse,"
9 meaning, is that what she's referring to? Because the townhouse, I guess, was rented
10 out by those people, right? Like, they were running this event to do Save Georgia -- or
11 whatever it was -- the Georgia watch party for the Georgia runoff, Senate runoff.

12 So they were watching the results come in, watching the election stuff, and
13 because it was COVID, they put food out on all the tables. And Don and I, just like
14 everybody else, had to get our food there.

15 Q Okay.

16 A So that's it. And I know the rest of what transpired, so.

17 Q Did you have any role in preparing or organizing the event on the night of
18 January 5th at the townhouse?

19 A No.

20 Q Okay. And when she -- when you say, "I'm going to rest and Don coming
21 back, said for me to be here to VE with him," what does VE stand for?

22 A I think to eat with him. I don't know if it was talk to text or what it is. I'm
23 looking at it. I think it's just like a misspelling.

24 Q Okay. I mean, we could not figure out an acronym, so we --

25 A I'm going to rest because we got in so late and I was tired, okay, and I had

1 the broken foot that was bothering me so badly in the cold. And so I was going to rest.
2 He wants me to be here, maybe with him, like he wants me to be with him, and he likes
3 me to eat with him. That I do know. And he said yes, meaning, to tonight, that we're
4 going to stop by and we're going to go eat there. And we did.

5 Q Okay.

6 A Had, like, chicken wings, sliders, that type of stuff. There were people
7 watching in the front.

8 Don and I walked down from our room on the 6th floor. Townhouse was on the
9 front floor -- or first floor. We went in, saw the TVs were on. There's some people in
10 what's called, like, the living room area.

11 And the back section of the, quote, "townhouse," which is frequently used for -- I
12 think it was, like, events, or whatever, or family, someone could rent it -- had the all the
13 food laid out. We ate, you know, some stuff, and that was it. And then Don went up
14 like a few minutes before me, and I followed him up, and we went to bed.

15 Q Okay. And I'm going --

16 A And neither one of us spoke at that or anything like that.

17 Q Okay. I'm going to come back to the events on the evening.

18 A Okay. But just so you know.

19 Q But I appreciate the flag there.

20 Regarding the -- I don't know if you remember when we were reviewing her texts,
21 when Ms. Wren says, "I lost to them," we were talking about who --

22 A Sorry.

23 Q No, no, no. I totally appreciate it.

24 Ms. Wren said, "I lost to them," and we were talking about who she meant. I
25 just wanted to show you exhibit 24. If you have a moment to flip to that and read an

1 email.

2 This is an email between Mr. Budowich and Ms. Wren, and just take a moment to
3 review it. We're going to put it up on the screen.

4 A Uh-huh.

5 Yeah, I've never seen this before.

6 Q And to be clear, you are not on it. So we are not claiming that you --

7 A I didn't even know this happened, and I didn't know Taylor was helping
8 with --

9 Q And that's helpful to understand.

10 I wanted to ask you, because you did have a number of calls with Mr. Budowich,
11 and I understand that you used to work with him.

12 A Yeah, and we're friends.

13 Q And actually you literally asked, you had kind of made it sound like you were
14 friendly. Did he never convey to you his concerns about you and Don sharing the stage
15 with those individuals that he mentions in that email?

16 A Yeah, who does he say?

17 Q He says, "Ali Akbar and Alex Jones are destructive to what the President is
18 working towards and terrible for Don and Kim to share a stage with. I don't want to be
19 involved with that."

20 A Yeah, I don't -- you know what? I mean, he might have said something to
21 me about it. But I had no knowledge. I didn't know who Ali Akbar was. And Alex
22 Jones, I don't even know if those people spoke. No one talked to me about them. I
23 don't have any personal direct knowledge about it.

24 I mean, I know who Alex Jones is because he has a show -- or a radio -- or a
25 podcast, whatever it is, and so I know who he is.

1 But, again, I don't know. This looks like he just had some conversation with, you
2 know, her about it. Again, like, showing, I didn't have anything to do with any of this
3 except for stuff sent to me, you know, by Caroline.

4 Q And I understand that. And the Ali Akbar, that is the individual --

5 A The Ali Alexander.

6 Q Ali Alexander. I just wanted to make that clear.

7 A Uh-huh.

8 Q I just was curious, it seemed like Mr. Budowich had expressed his concerns
9 to numerous people --

10 A Right.

11 Q -- including this email.

12 A Yeah. I think he -- he doesn't think that he's a, you know, a good guy or
13 whatever.

14 Q No, he makes it pretty clear. "Destructive to what the President is working
15 toward and terrible for Don and Kim to share a stage with." That is unambiguous.

16 A Right. Oh, I'm not saying that statement's ambiguous.

17 Q No, a hundred percent. What I was concerned or questioning was, as
18 somebody who is friendly with you and has such clear and evident concerns --

19 A Uh-huh.

20 Q -- I just was surprised, did he not share those with you?

21 A Oh, he might have. I just don't have a recollection as I sit here today.

22 Q You don't remember having any conversations where he said, do not do this,
23 or, you should be concerned, or, do you know who these guys are?

24 A I don't remember anything about this Ali Akbar guy. I only learned about
25 him later.

1 Q Did he have -- did he raise Alex Jones, Roger Stone? In terms of his
2 concerns, did he raise with you the speakers --

3 A Yeah, I hear what you're saying. I don't have any recollection right now
4 that, as I sit here, that he, like, oh, in my head, that I had this specific conversation or this
5 specific thing, you know, from him about it.

6 Q Okay.

7 A I do recall he sent me an article that had this Ali Alexander guy in it where
8 this guy said that he had a conversation with me. And then I was like, who is this guy?
9 He's like, oh, yeah, this guy, you know, whatever. I still don't really know who he is.

10 But what I learned subsequently was that that night -- and I do recall, like, people
11 would, hey, say hi, or FaceTime, or do this. And I recall her putting up the
12 phone -- Caroline -- and saying, say hi.

13 And what I was told later is that she said, oh, you don't even know who you were
14 talking to, but that was that Ali guy. And then he embellished on his podcast to sound
15 relevant, I guess, that he talked to me, had a conversation. I didn't have a conversation
16 with him.

17 Q So just so we're clear, to the extent that it may jog your memory, I don't
18 know if you remember we showed you your phone calls on December 31st. But there's
19 a flurry of calls with Wren and Budowich.

20 Is it possible that you were discussing the speaker issue, or that does not jog your
21 memory in any way?

22 A You know what, it doesn't jog my memory --

23 Q Okay.

24 A -- in any way to be perfectly honest with you. I'm not saying that anyone
25 didn't bring it up. But you have to understand, I talked to Taylor on the phone about,

1 you know, personal stuff in general.

2 I do know, subsequent to the fact, that all these guys were very annoyed by this
3 Ali Alexander guy. And so then when he said that on his podcast in an article or a tweet,
4 or he tweeted, or whatever, about me, it was just annoying.

5 I think that's what those other emails and text exchange are -- whatever -- they go
6 back and forth with Taylor and Andy because they were, like, frustrated. Wait, you
7 talked to that guy? I said, I don't even know who this guy is. Okay?

8 And then, you know, later on, and then Katrina was coming, oh, can we have a
9 moment. Really? In the back of a, you know, was it Air Force plane? It's literally Air
10 Force One is [witness makes sound], it's deafening loud there.

11 So I was just, like, really? So it's a lot of this back and forth, he said/she said
12 nonsense.

13 [REDACTED] And there's a point right here where if we can go maybe 10 more
14 minutes, we're reaching a good comfort break, but if you needed a comfort break, we
15 could stop now. So are people okay just powering through just a little bit longer?

16 Mr. Tacopina. I'm okay, as long as you're okay.

17 The Witness. Yeah, I'm fine. Yeah.

18 Mr. Tacopina. Okay.

19 [REDACTED] Okay.

20 Mr. Tacopina. Obviously, Kimberly, you know, if there's ever a point where you
21 need to consult with us --

22 [REDACTED] Yeah, please don't hesitate to --

23 Mr. Tacopina. Not that you need it. I mean, so far we've been fine.

24 The Witness. Yeah, no problem.

25 [REDACTED] Okay. So just want to turn -- ooh.

1 [REDACTED] I was checking something.

2

BY [REDACTED]

3 Q Okay. I just wanted to check before we turn to exhibit 9. We can't turn
4 to exhibit 9 without her.

5 So these are the --

6 A Oh, so I see what this -- sorry, one second. So this is Taylor sending to
7 Caroline that he doesn't want to be associated, because apparently he was working
8 toward some event, but I'm not sure, with Ken Paxton, I guess.

9 Oh, remitted to family.

10 Q Oh, I'm sorry. Are you going -- I apologize. You're back on the previous
11 exhibit?

12 A I'm sorry. I just went back because I was just seeing this as, like, a list
13 of -- can we -- she's asking, "Can we go ahead and publicize the following speakers on the
14 website?" And that is January 2nd. Okay.

15 Yeah, so --

16 Q Yeah. So I wasn't going to ask you a bunch of questions on an email that
17 you weren't on.

18 A Yeah. I was just reading it.

19 Q But you're right, she propounds a list on January 2nd at 2:05 p.m. for
20 Mr. Budowich to put on the website.

21 A To promote, yeah.

22 Q And the list includes Ali Alexander and Alex Jones, which seems to be the
23 ones that he primarily objects to.

24 A Yeah.

25 Q So was there anything else in that email that --

1 A No, that was it.

2 Q Okay. So if we could turn to exhibit 9. These are the emails that we
3 discussed earlier. These were texts that you produced between you and Ms. Fancelli.

4 And a moment ago, we talked about page 2. You noted that the one at the
5 bottom was unsent. But if I could turn you to page 3.

6 So I will represent that our belief is that your texts are on the right and
7 Ms. Fancelli's are on the left.

8 Actually, it is a really good time to take a break and just figure some stuff out.
9 We like to kind of pause and assess to have an idea of how much is left.

10 The Witness. Okay.

11 [REDACTED] So if we could take a 5-minute comfort -- actually, let's just be on the
12 safe side and say a 10-minute comfort break.

13 Mr. Tacopina. We'll be right off pantry.

14 [REDACTED]. Yeah. And we'll be -- if we can, we'll shoot to be back her on the
15 record at 4:45.

16 Mr. Tacopina. Yeah. Well, just knock when you're ready.

17 [REDACTED] Okay. We'll stand in recess until 4:45.

18 [Recess.]

1

2 [4:52 p.m.]

3

BY [REDACTED]

4

Q All right. We are back from recess at 4:52 p.m. We just wanted to tie up

5

some questions and kind of round out what happened on January 4th, which I believe

6

was when you were in Georgia and you were coming back then.

7

A Yes.

8

Q While you were in Georgia, did you have any discussions with anyone

9

regarding anything that would happen on the 6th about the election certification

10

process?

11

A While I was in Georgia, did I have any discussions with anybody regarding --

12

Q What was gonna happen on the 6th?

13

A Oh, what was gonna happen on the 6th with the certification. No, not that

14

I recall.

15

Q Earlier we talked about how you flew back from Georgia on Air Force One, I

16

believe, you mentioned with Don Jr. and the President?

17

A Well, there's a whole, you know, White House whatever.

18

Q I know there were more people than three on the plane. I just was picking

19

out a couple of them.

20

But there were a number of campaign and administration officials on the plane.

21

Do you remember speaking with anyone about what would happen in D.C. on January 5th

22

or January 6th? Any conversations with those folks?

23

A No. Have you been on there before?

24

Q On Air Force One?

25

A Yes.

1 Q I would definitely remember that, and that's a strong no.

2 A You would remember it.

3 Q I would. Some people have said I don't recall things that I am shocked by.
4 But I guarantee you, if I flew on Air Force One, it would be in my memory.

5 A Yeah. No. That's why I remember that I flew home on Air Force One, but
6 I was, like, how did I get there to Georgia? So anyway, it's divided in different sections,
7 right? So POTUS sits up in the front where his office is on Air Force One. So he sits up
8 there, and you go back further and there's like segments where everyone sits based on
9 whether you're, you know, an admin, whether you're this, or that, that reporters sit all
10 the way in the back. So it's separated out.

11 Q Is that the pool?

12 A Yeah.

13 Q Okay. I have seen that on TV.

14 A Yes. So that's what you do. So like me, Don Jr., et cetera, will be in, like,
15 the little family dining room type of area. There's like a -- kind of a boardroom, like a
16 table area. And so you'll see people in there like me or Don or Eric and Lara, you know
17 that type of thing.

18 Q I think you said you got back to D.C. very late that night, like after midnight
19 they landed at Joint Base Andrews. Do you remember that?

20 A Yeah. I just know it was late. That was kind of late my recollection like,
21 Oh man, we got back late that night. I know I was tired. My ankle hurt bad.

22 Q Real quickly, what you're talking about, about Air Force One is actually kind
23 of helpful in terms of you said, POTUS has the front and then there's an area -- I'm
24 assuming there's a restricted area where you were?

25 A Oh, no. People can come in, but I've never seen the press go in there.

1 Q Can people in the back just kind of walk up to the front?

2 A Yeah. You can walk up to the front or to exit, you know, like, the hallway
3 thing. But you know, I don't actually -- I know we flew home on Air Force One, and it
4 was late, I was tired, like I said, I had the bug, so I was like over it.

5 Q There's not like one of those curtains between first class and coach saying
6 you don't belong up here? I think I pictured it that way. But no? They can just walk,
7 like pool members can walk up?

8 A Well, I think they just wouldn't -- Secret Service is all throughout, and it
9 probably wouldn't be a good idea. Yeah, you could be invited up and go up to where
10 the Oval Office is or essentially where he sits. He has a working desk there.

11 Q But you guys are on the plane, there's no conversations about what's gonna
12 happen tomorrow on the 5th? There's no conversations about, oh, the rally? People
13 weren't excited? There was no conversations about what was gonna happen in the next
14 couple days?

15 A No, not really, tired. I don't even know that we got anything else to eat or
16 whatever. It was so late.

17 Q And when you got home --

18 A It's not that long of a flight, but it just ended up being --

19 Q Two hours, does that sound about right?

20 A It's about -- it's not -- yeah. To California.

21 Q And when you get back, I know you said it was really late. I'm assuming
22 you just go home after Joint Base Andrews?

23 A We went to Trump D.C.

24 Q The hotel?

25 A Which is essentially, yes, our residence here.

1 Q So you were there basically late that night and then basically stayed there
2 until presumably the event the night of the 5th?

3 A What night of the 5th?

4 Q So you remember earlier we were talking about the event that Ms. Wren
5 was texting you about, the event the night of the 5th?

6 A I thought you meant in Georgia.

7 Q No. No. So leave Georgia, Air Force One --

8 A Yup.

9 Q You come late to D.C., go to the hotel, get there really early, probably on the
10 morning of the 5th because it's so late --

11 A Yes.

12 Q And then you're there at Trump Hotel until the event at Trump Hotel that
13 night on the 5th?

14 A It was the watch party for the Senate race.

15 Q And do you remember anything -- well, actually were you in D.C. on the 5th?
16 Did you visit the White House during that time period from when you arrived to the
17 hotel?

18 A Not that I recall, but there would be a record if I entered the White House.

19 Q So there actually was. There's a White House visitor log that has you
20 coming for an appointment at 11 a.m. lasting all day with three people to visit someone
21 named Austin Ferrer.

22 A Who?

23 Q He was the special assistant to the President, an Oval Office special assistant.

24 A No, I didn't go there. I don't think I went there. Maybe they logged me
25 in, but I don't know who that is.

1 [REDACTED] He sat right outside the Oval Office, so he may have just been
2 somebody involved in WAVE'ing you in.

3 Mr. Seigel. Who is this person? I'm sorry. What's the name?

4 [REDACTED] Austin Ferrer, F-e-r-r-e-r.

5 The Witness. I wasn't at the White House all day. There's no way.

6

BY [REDACTED]

7 Q You were not at the White House on the 5th?

8 A Listen, if somebody says that I signed in or was -- maybe they might have put
9 me in WAVES? Is there a system they put you in, what do you call it, where they
10 authorize you -- they put you in the system that you're coming in, you're authorized to
11 come in.

12 Q But you don't necessarily come in?

13 A Well, I don't know, but I don't recall being at the White House, and I
14 certainly wasn't there all day. I'll tell you that much.

15 Q That's the important thing is there's a record that says you're coming in.
16 The relevant thing is, were you there on the 5th?

17 A Right.

18 Q No? I'm hearing you say no.

19 A I was there on the 6th.

20 Q Right. Okay. And we'll come to that. I just want to clarify we saw this
21 record.

22 A Yeah. But again, to my recollection -- because you surprised me there. I
23 guess that was helpful you told me who that is, is somebody who sits outside. Who is
24 this that said I had all-day meeting with?

25 Q From what I can tell on the logs -- and [REDACTED] would know far better than

1 me, but it looks like there's like a point of contact. It may have been the person you're
2 meeting with. It may have been the person that entered the meeting. It's not
3 necessarily --

4 A And it says just me, not Don Jr.?

5 Q It says you and three people.

6 But the more important question is, were you present at the White House on the
7 5th? And I'm hearing you say, no, you didn't actually go.

8 A I have no -- absolutely no recollection of that. I was there on the 6th.

9 Q Okay. And before we get to the event that night --

10 The Witness. But again, you see what I'm saying?

11 Mr. Tacopina. Yeah.

12

BY

13 Q Oh, no. And that system may, like you said, may authorize people. We're
14 just checking to make sure that if we see something, we can cross-check it with the
15 person to see if they actually came.

16 A Sure. They might have had me authorized to come in for the whole thing,
17 maybe, because we were flying back in. I don't know. That makes no sense, but
18 anyway. The first I'm hearing of it is now.

19 Q So to the best of your recollection, can you just walk us through, you
20 get -- you wake up at some point on January 5th.

21 Take us through that day to the best of your recollection. What do you do on
22 January 5th?

23 A I really -- I don't really remember. I think I was at the Trump Hotel. Like I
24 said, I was very tired. I had a lot of pain because my foot was broken. I had two
25 fractures in my foot.

1 Q How did you do that, if you don't mind my asking just out of curiosity?

2 A Wedges and a hill, and I snapped my foot over like this and it cracked in two
3 spots.

4 Q Heals are death.

5 Mr. Tacopina. Go with the ballerinas?

6 BY [REDACTED]

7 Q Okay. So do you happen to remember -- do you remember a meeting on
8 January 5th at the townhouse with Larry Kudlow, Don Jr., and Rick Kofoeds?

9 A Kofoeds.

10 Q Kofoeds. Do you remember having a meeting with them?

11 A Me?

12 Q Yes.

13 A No.

14 Q Okay. Because there's something we want to ask you about. If we could
15 turn to exhibit 35.

16 So this is a text exchange between Ms. Wren and Ms. Preate, it I believe it's
17 pronounced. And on January 4th, this may have been -- I don't know if you were in
18 Georgia yet, but on January 4th at 2:03 p.m., Ms. Wren says, "Hi, KG wants to meet with
19 Kudlow at Trump townhouse sometime tomorrow evening, could you each reach out to
20 him please," and Ms. Preate says, "Yes, he avoids crowds." And she says, "No crowd,
21 would be a four-person meeting, and the hotel is basically empty, indoor dining is closed
22 so restaurant and bar and the lobby is closed."

23 Ms. Preate says, "Who in the meeting?"

24 Ms. Wren says, "Kofoeds, Don and KG."

25 Did that meeting ever happen?

1 A Yeah. I don't even recall. No. This is the first -- I'm like reading this right
2 now. I actually don't -- I mean, Larry Kudlow is a friend of mine. So I don't know what
3 that would even be. We're friends. I don't know why I would need to have a meeting
4 with him.

5 Q But sitting here today, you cannot remember that meeting occurring?

6 A I cannot, no.

7 Q Okay. And let's turn to exhibit 10, and we're gonna talk about the event
8 that was held at the townhouse that night.

9 Does this sound about right, that it started at 4 p.m.?

10 A I don't know. I know that I was not there early. I came a little bit later.

11 Q What time do you think you arrived if you had to ballpark?

12 A I'm trying to think if it was dark out already or not. I really don't know.
13 But I was definitely not there by 4:30, as far as I recall because if it was like watching the
14 Senate race and stuff, that would be early.

15 Q You think you arrived there after it was dark, sometime in the evening?

16 A I don't know if it was dark, or was late afternoon, and I don't, you know,
17 what, it's January, you know, what times it gets dark here. I don't know. Could have
18 been 4 o'clock, but I may be wrong.

19 Q Do you know remember who arranged that event and what the purpose of it
20 was?

21 A It was supposed to be a watch party for the Georgia returns to see what
22 happened if they won, and it started not looking good very early in the return process.

23 Q So I just want to turn really quickly to exhibit 25. And this is a text
24 exchange between a woman named Christianne and Ms. Wren. And if you look at page
25 9 --

1 A I don't know who this is.

2 Q It's frankly not even important who she is. I'll stipulate to you that it's
3 somebody who, I believe, works with possibly Mr. Giuliani's assistant. I don't know if
4 you ever had any exposure to her or him, but if you look at page 9, they're
5 communicating, I think, about Mr. Epstein, but then if we scroll down into page 9.

6 Mr. Tacopina. You're bringing it up. Okay.

7 [REDACTED] Yeah. It's right here.

8 BY [REDACTED]:

9 Q So Ms. Wren says, "On Tuesday night in the Trump townhouse, I've got 10 of
10 our largest donors, a million-plus each, flying in, and I'm doing a briefing for them 6 to
11 8" -- I'm assuming that's p.m. -- "to discuss funding priorities, says they can help, et
12 cetera, and I'd like Rudy to come and speak to them." And then she corrects and says,
13 "ways they can help, and I'd like Rudy come speak to them."

14 Then Ms. Christianne responds, "Yes, that should be no problem. What time?
15 What's the setup? Dinner, casual sit down?"

16 Ms. Wren says, "It's basically a speak-easy for indoor dining. I'm gonna have
17 food catered to the dining room area, and then folks will be sitting in living space, and
18 we'll have the Georgia results on any time between 6 to 9, but I think early is better
19 because Georgia polls close at 7."

20 So to your point, this is the watch party aspect of it.

21 A Yeah.

22 Q Do you remember whether Mr. Giuliani spoke that night?

23 A No, because literally I walked in, and I went to the back to eat, right? I
24 didn't speak at it. Don didn't speak at it. We were not there very long at all. Like I
25 said, the TV was on and we were watching the returns, and then it was pretty depressing

1 because it wasn't going well and we're like, we've had enough.

2 Q I can flip back to it if necessary, but you can see it in your binder in exhibit 8
3 on page 8, and I apologize the page numbers at the top are really, really tiny, but there's a
4 text where you basically refer -- I think it's actually the very last page, and I think you
5 said -- this was the one where basically you were talking with her about the townhouse
6 and the guys presenting, and you said that Don said yes to tonight.

7 Was that to appearing or to speaking?

8 A Oh, no, that we were just going to go to the townhouse and eat food and
9 watch the results.

10 Q Okay. So it was yes to just attending the party?

11 A Yes, that we were going to go down there, say hi, and just eat some food.
12 And again, because it was close, so we would have had to just do room service, or take all
13 the food. And he's like, it's just easier and less stress on the hotel because all the food
14 was prepared there, than making with small staff come up to the room, do this -- it's we
15 just always trying to be considerate that way.

16 Q Do you remember whether Michael Flynn was present at that party?

17 A No, I do not.

18 Q Do you remember seeing Peter Navarro?

19 A I have a recollection of seeing Peter Navarro, but I don't know if it was like
20 that night or not, but maybe.

21 Q Well, I was -- specifically, do you remember him being present at that event
22 at the Trump Townhouse?

23 A I don't have, as I sit here today, a recollection whether he was there or not.

24 Q You just remember seeing him at some point that night?

25 A No. You know when you have an image in your head that somebody is at a

1 location, but you don't know what day or time it was, like I don't know if I saw him prior
2 occasions. And Trump D.C. Hotel is extremely busy with people coming in and out in the
3 olden days.

4 Q Do you remember seeing Corey Lewandowski at the January 5th event?

5 A No, I do not.

6 Q What about David Bossie?

7 A No, I do not.

8 Q Adam Piper?

9 A I don't even know who that is.

10 Q He's the executive director of the Republican Attorney's General Association
11 that you mentioned earlier.

12 A Oh, yeah I've heard his name before, but I don't know what he looks like.

13 Q What about Tommy --

14 A Tuberville. I saw him.

15 Q You're correcting a lot of them today. Tuberville?

16 A Tuberville. Coach Tuberville. Yeah. He's the coach of Auburn, and now
17 Seneca.

18 Q I actually worked in Alabama so it's kind of embarrassing that I'm not
19 pronouncing that correctly. They'll never let me back.

20 Did you see Senator Tuberville?

21 A Yes, I did see him.

22 Q Did you talk with him?

23 A I can tell you exactly where I saw him, because we came downstairs, and as
24 we were going into the townhouse, he was right there coming out of the townhouse, and
25 he said Hi. I gave him a hug, said, How are you coach, what's going on. Oh, Hey

1 Kimberly, would you mind taking a picture with me? Oh, Coach, no problem, and then
2 we take the picture, and then he left. I went in. We ate wings and sliders, got
3 depressed. Went up to bed.

4 Q What was the last part?

5 Mr. Tacopina. Wings and sliders.

6 The Witness. Got depressed.

7

BY [REDACTED]

8 Q Oh, because of the results. Okay. I was like I thought there was
9 something in there?

10 A And we also had an early morning, right, because we had to go do the
11 speech, do everything, it had been a lot of travel and stuff going on.

12 Q So we're definitely going to come back to that.

13 Do you remember seeing Mr. Giuliani at the January 5th event?

14 A I think that he came in. I just have a memory of him perhaps being over by
15 the TV. But again, I was primarily in the back part of the townhouse.

16 Q Do you remember Mike Lindell being there?

17 A I do not recall Mike Lindell.

18 Q Were you present for any of the speakers' speeches that night?

19 A I was physically present in the townhouse, not in that room.

20 Q Oh, in the room where they were speaking?

21 A Yeah. It was just sort of people would get up and say something. Say
22 there was a TV here and someone would be there, but where we were was way over in
23 the back and down a hallway. So you can't --

24 Mr. Tacopina. So the townhouse, just to paint the picture, is sort of large rooms
25 that are separate and divided, correct?

1 The Witness. That's correct.

2 Mr. Tacopina. And two floors?

3 The Witness. Two or three floors.

4 Mr. Seigel. Three, I think.

5 The Witness. It's a lot.

6 BY [REDACTED]:

7 Q Did you have any conversations with anyone about what was gonna happen
8 the next day on January 6th?

9 A Not that I recall, no.

10 Q Not like, oh, are you going to rally, will I see you there, no conversations with
11 anyone?

12 A [No verbal response.]

13 Q I likely had more energy.

14 A It was pretty low energy.

15 Q I was gonna say -- was it low energy from you because you were exhausted
16 or did everybody there have low energy?

17 A I think it was kind of like chill you know when you're in an environment, and
18 it's not fun to watch election returns, and then, Okay, we went there and spoke and we
19 try to help these guys.

20 Q Actually, to --

21 A Meaning candidates running for Senate.

22 Q So I think you know where I'm going, but to Mr. Tacopina's point, help paint
23 us the picture of -- the polls close at 7. There's speakers talking from presumably 6 to 8.

24 What's the dynamic of the meeting? Are people depressed? Are they anxious?

25 A I wouldn't even call it a meeting. It's kind of just like this, people are

1 talking, they stand up and talk and say something, who knows if anyone's even listening.
2 It wasn't, like, you know what I mean?

3 Q Sadly, no. I'm disturbingly apolitical, but the question is more kind of, if
4 you're watching the results of the Republicans presumably losing the Senate around a
5 bunch of people who wanted the opposite to happen, was there like a -- you a moment
6 ago said depressed. Were a lot of people --

7 A Well, you know, didn't go well, right? We didn't win that. It was fine.
8 Okay. We didn't win that, okay we put effort in, et cetera. Sometimes there's only so
9 much you can do to help the candidate.

10 Q Was the vibe kind of that's it, it's all over, we're done?

11 A With the Senate? I mean, I don't know. That was over. I don't know.

12 Q Was there discussion about, well, tomorrow is something different?

13 A No. No discussion whatsoever about that. We were, like, literally in the
14 back eating food and every once in a while we might walk up and see the results.

15 Mr. Tacopina. I want to clarify something. When you said no discussion about
16 that, that you heard or involved in.

17 The Witness. I can't speak to what other people.

18

BY [REDACTED]

19 Q In fairness, I want to be clear, I don't know that that night they knew the
20 results exactly, maybe, or did they know at the watch party?

21 A I don't remember when the final numbers came in, but it wasn't looking
22 good, right?

23 Q Right. So the vibe was --

24 A It became obvious that that wasn't going well, whatever. I don't recall
25 what the exact numbers were, but I recall saying -- and us, meaning to myself, Oh, that's

1 doesn't look good.

2 Q Okay. And there's a -- did you have any discussions with people either, at
3 that party or just generally, with regards to what Vice President Pence was going to do
4 the next day during the joint session regarding his role?

5 A Yeah. No. Because I actually quite didn't understand it or even know
6 anything about it. It wasn't, like, my thing.

7 Q So there's some emails we wanted to show you and just kind of see if you
8 remember because they were in your production, and it would be helpful to get some
9 clarification.

10 If we could turn to exhibit 11. And you can see it in your binder. It's pretty
11 short. There's an individual named Trip Park who writes you --

12 A Oh, yeah.

13 Q -- on January 1st, "We're so hoping DJT has something up his sleeve, but
14 with 24 members or members-elect on the books as committing to challenging the votes
15 as of early Thursday, and now that number is 40, 41 including Senator Josh Hawley in the
16 upper Chamber, that has to be promising, dot, dot, dot, question mark."

17 A Yeah.

18 Q And then you respond back several hours later that same day, "Yes very."

19 A Uh-huh.

20 Q Who is Trip Park?

21 A Oh, he's just a guy that I know, he and his wife. His wife's a designer, and
22 they had me come speak at Cornell University where they're on the Board of Regents
23 years ago. And, you know, people send me a lot of emails nonstop about stuff, and I try
24 to be at least polite and cordial to write something back to at least move on, yes, very, no
25 punctuation.

1 Q Like, we see a lot of people do these kind of like --

2 A Oh, promising, yes --

3 Q Perfunctory responses to possible donors kind of thing?

4 A That's correct. They're nice people and everything, you just can't stop
5 some of the people -- we all have them in our lives -- that keep emailing and texting,
6 looking to feel like, Hey, what's up.

7 Q And reach out to somebody they perceive as important and maybe get a
8 response?

9 A Yeah.

10 Q And if we could turn to exhibit 12, this is an email you produced from
11 somebody named Bill White, CEO of Constellations Group, LLC, and he's forwarding an
12 email, I believe --

13 A To everyone.

14 Q -- to many people, regarding an extension -- basically, a letter that someone
15 named Brandon Beach sent to Vice President Pence.

16 Can you tell us about this email?

17 A I literally don't even remember this email, and I'm sure I did not read it.

18 Q Did you have any discussions basically with anyone regarding this issue of
19 what Vice President Pence is gonna do on January 6th?

20 A To my recollection, no.

21 Q Do you remember having any discussions with DJT or any of the family
22 members regarding the legal options available on January 6th?

23 A No, because that wasn't something that I would have gone over or discussed
24 because I actually didn't understand it myself.

25 [REDACTED] Could I just interrupt? When you say you didn't

1 understand it, because as a casual observer, it was pretty clear the President spoke
2 publicly and constantly about wanting people to object for the votes not to be certified.
3 He lobbied people publicly. This was discussed all over the news leading up to
4 January 6th.

5 So understanding then -- I don't think any of us, the lawyers consider ourselves
6 constitutional scholars, is it fair to say you had a general understanding that the President
7 wanted legislators to object and for Vice President Pence not to certify the electoral
8 votes? Is that fair?

9 The Witness. Yeah, information out there like that. But what I do know is that
10 the President felt that the election was rigged and stolen, and that he wanted all legal and
11 lawful votes to be counted and for unlawful votes not be counted. So that's - where his
12 head was in general from the election.

13

BY [REDACTED]

14 Q Do you remember proposing to anyone in -- would have been around
15 mid-December 2020, that Steve Bannon and the President should meet to talk, because
16 Mr. Bannon had information regarding next steps to Stop the Steal?

17 A I don't recall anything saying about Stop the Steal.

18 Q Let me show you exhibit 34.

19 A Sure.

20 Q This is a text -- I'm probably going to butcher this name too. McEntee?

21 A Oh, Johnny Mack. Yeah. Johnny McEntee.

22 Q This is a text between Ms. Preate and Mr. McEntee.

23 Ms. Preate is representing, "KG wants Steve and POTUS to talk. Steve have three
24 next steps that he can take to Stop the Steal, also says he needs to meet with Navarro
25 who has gone over numbers. Steve would be free to talk with him of course, thoughts?"

1 And McEntee says, "I will relay to the boss, what's best number for Steve if he
2 decides to call?"

3 And then I understand that's probably the name that Ms. Preate gave more
4 Mr. Bannon?

5 A I have no recollection of this whatsoever.

6 Q Ms. Preate's pretty good friends with you, right?

7 A Yeah. She's a really nice person. She's a nice lady.

8 Q And do you remember having any conversation with her regarding Steve
9 Bannon and POTUS talking?

10 A No. But she is close the with Steve Bannon, but I don't know why my name
11 was put into this. That's my honest to God, like, I have no recollection and this is
12 actually surprising. I mean, I'm not saying it's bad. I'm just saying I don't know what
13 this is.

14 Q No. I totally understand. When you say that she's close with Mr. Bannon,
15 what is her relationship with him to the extent that you know?

16 A I believe she has worked for him before like as an executive assistant. I
17 don't want to mischaracterize it, but she has worked for him in some capacity. I don't
18 know what her official job title was, or if she's still working with him.

19 Q So you don't remember having any conversations with Ms. Preate regarding
20 Stop the Steal efforts or changing the election results?

21 A No. But, in fact, if I wanted to say or ask for something like that, I could
22 have texted myself.

23 Q You could have texted whom?

24 A I could have text whomever. I don't even know why she wrote Johnny.
25 Like I don't know.

1 Q You could have connected Steve Bannon and POTUS without her?

2 A I'm not saying that. I'm saying if I wanted to do something, I wouldn't need
3 Alexandra to text Johnny McEntee. I don't understand this whole thing. Maybe she's
4 friends be him. I don't know.

5 Q Presumably, McEntee is the ear to POTUS, correct?

6 A I don't know that that's the case. I mean, he's worked with him and for
7 him, but I don't know.

8 Q No. I'm just saying from this dynamic from the text, it looks like she's
9 representing Mr. Bannon and he's POTUS, and the representation is, Oh, these two
10 should talk?

11 A I would be speculating if I said that because I have no direct or personal
12 knowledge of this.

13 Q Okay. And did you ever have any discussions with people who were
14 alternate electors, either on or before January 6th?

15 A What's an alternate elector?

16 BY [REDACTED]:

17 Q Well, have you heard that term before?

18 A Alternate elector?

19 Q Yeah.

20 A Yeah, I've heard it, but I don't really know what it is.

21 Q Do you have a general understanding of what people mean when they say
22 that or what they're referencing?

23 A Not really. No, I don't.

24 [REDACTED] Do you want me to explain?

25 [REDACTED] Yeah.

1 [REDACTED]. So in seven States where the outcome of the election was disputed
2 and the state authorities certified the Biden electors, the Trump electors also met on that
3 same day when the electors cast their votes, cast their votes, signed a certificate saying
4 they were electors and submitted those. Thus, they're referred to as alternate electors.

5 The Witness. Okay. So they exist. At the time, they just didn't put their votes
6 because there weren't enough votes for them to cast them. They didn't win.

7 [REDACTED]. And they were not the official ones that were certified by the State
8 authority, but they were submitted to the Vice President and to the archives.

9 The Witness. Yeah. I don't know.

10 Mr. Tacopina. Submitted, but not counted.

11 The Witness. That's very complicated and confusing.

12 [REDACTED]. That's correct. They were not counted. Some people said
13 because there are two slates, that's why the Vice President should either reject elector
14 from a State or send it back to the States for further consideration.

15 Mr. Tacopina. Okay.

16 The Witness. What I do know, is oftentimes people will use my name for
17 something because it will carry weight.

18 BY [REDACTED]

19 Q Well, the reason I ask is actually because you have two calls with an
20 individual named David Shaeffer who actually is one of the alternate electors in Georgia?

21 A Oh, is he?

22 Q Do you know Mr. Schaeffer?

23 A I know Mr. Schaeffer.

24 Q Who do you know him as?

25 A Like a Georgia party official. I don't know he's alternate -- I didn't know

1 that part. I know he's someone on the ground in Georgia and has some capacity,
2 otherwise he would be around at all the Georgia events.

3 Q Today, sitting here today, did you have any knowledge that Mr. Schaeffer
4 was also an alternate elector?

5 A To the best of my recollection, no. I just knew he was a Georgia -- in some
6 way, Georgia-related party official or on some board or entity. I don't know.

7 Q Can you think of --

8 A I don't know what his official title is.

9 Q And that's fair. But can you think of any reason why you would be
10 contacting him January 9th and January 14th?

11 A No, I don't.

12 Mr. Tacopina. Amanda, these are calls you're saying?

13 ██████████. Yeah. These are exhibit 23, page 38 and page 44. I'm looking
14 up -- it looks like Ms. Guilfoyle placed the call on January 9th to Mr. Schaeffer, and it
15 lasted a few minutes. So it was a conversation, and it wasn't like a text or a voicemail.

16 The Witness. I don't recall.

17 ██████████ And then on January 14th, if you look at page 44, it was again a call
18 placed for Ms. Guilfoyle to Mr. Schaeffer, and this one was a solid 5 minutes,
19 conversation.

20 BY ██████████

21 Q Any recollection of that?

22 A It's not ringing any bells, but again, he was like a pleasant guy. Otherwise, I
23 think I met him one time in Georgia, either before the election or after, something like
24 that. I just know he was around at Georgia party politics but I don't know what his
25 official capacity is.

1 Q And did you ever have any conversations with Don Jr. about the plans that
2 were being generated after the election with regards to overturning the election results
3 either on -- either before or on January 6th?

4 A No, I did not.

5 Q Did you ever talk with Mark Meadows about it?

6 A Not that I recall, had no specific conversations, and I know Mark Meadows.
7 We campaigned for him when he was in office in North Carolina and then Chief of Staff
8 for the President.

9 Q Did you ever talk with Don about his conversations with Mr. Meadows
10 regarding that topic?

11 A No, I did not.

12 Q Okay. Were you aware that Don had texted Mr. Meadows about it --

13 A No, I'm not aware of what he texted him about. What I am aware of is
14 there's a recent news report that there's a text that Don sent to Mark Meadows, but I
15 know that they're friendly, and they've known each other for a long time and they would
16 text on occasion.

17 Q If you could turn to exhibit 29. I just wanted to ask you, these are texts
18 with Mr. Meadows, some of which are on, some of which are not.

19 A Okay.

20 Q And if you can see on here -- and I'm sorry.

21 A Oh, here it is. There. Yeah.

22 Q So it looks like some of these are direct individual chats, and then it looks like
23 some of them may be group chats. But it looks like you sent Mr. Meadows a text on
24 November 4th, and it appears to be a tweet maybe by David Litt?

25 A I don't know.

1 Q Do you remember that?

2 A No. Do you have it?

3 Q We could probably pull it up. I honestly don't even remember what it was
4 about.

5 A Yeah.

6 Q I think it was about something involving the election?

7 A I rarely, if ever, texted with Mark Meadows. Just didn't do it.

8 Q So that is -- if that is the case that you rarely text with him, I was hoping that
9 maybe that one stood out in terms of why you texted him then?

10 A Let's see if we can look it up.

11 BY [REDACTED]

12 Q When you say that you couldn't or you didn't?

13 A Oh, I was saying let's look it up. I want to see what it is.

14 Q I mean about the talking to Mark Meadows?

15 A Oh, I said I rarely, if ever, texted him. I just always thought I wouldn't want
16 to bother him because he's busy. I really didn't have anything to kind of text him about.

17 BY [REDACTED]

18 Q It looks like it's a tweet, if you could pull it up. We can't -- it's on this
19 computer. But it's -- David Litt says, "Anyone in Georgia, team Joe needs people to go
20 door to door helping voters fix their mail-in ballots so they count, sign up?"

21 And it looks like right after you send that maybe the next day, Don sends a text
22 saying, "This is what we need to do. Please read it and please get it to everyone that
23 needs to see it because I'm not sure we're doing it."

24 So it sounded like maybe some efforts regarding that?

25 A I don't know what it means.

1 Q No recollection?

2 A Nope.

3 Q Okay. And then --

4 A I don't even know what it means. Does it mean like, they're doing this, we
5 should do this?

6 Q Actually, it looks like your text may be completely unrelated because what
7 Don Jr. texts at 12:50, "this is what we need to do, please read it and please get it to
8 everyone" --

9 A Okay. So these are Mark Meadows' texts.

10 Q Yes.

11 A Got it. So he has a text from me and then separate --

12 Q And the next day?

13 A -- another text from Don.

14 Q Exactly. Don texts, this is what we need to do, and then he texts a lengthy
15 description.

16 Were you aware of these texts?

17 A I was not aware of them. The first that I heard of it was when -- it became
18 public or was in the press. Wasn't this just in the news?

19 Q The reference to texts between Mr. Meadows and Don Jr.?

20 A Yeah, that this vote -- State's vote, whatever, this just was in the news, was it
21 not a week ago?

22 Q Honestly, there's been lots of articles of Mr. Meadows' texts and I could not
23 tell you the day it came out.

24 A I think that was the first time I heard of this.

25 Q If you notice, there's texts between Don Jr. on November 5th?

1 A Uh-huh.

2 Q And then there's texts between Don and Mark on the 6th, and he says, "Sis,
3 you see this -- my guess is that was did, did you see this and what do you think."

4 I don't believe he's calling Mark Meadows "sis."

5 And then Mr. Meadows responds, "Much of this had merit, working on this for PA,
6 Georgia and North Carolina already."

7 A Okay.

8 Q And then Don responds on November 6th, "I'm in Georgia right now. I flew
9 down yesterday to hold a presser and help organize the team, going to meeting shortly
10 with Nick Ayers, Sonny Perdue, who's gonna be our leader in Georgia and also bring in Lin
11 Wood who really wants to help."

12 Were you aware of anything he was talking about in that text? Did you have any
13 conversations with him about it?

14 A Yes, because we went to Georgia, but I'm not sure exactly when, but
15 it was -- oh, yeah. That's in November. That's November 6th. So after the election,
16 we flew to Georgia. I was reading that as like 1/6. I was like this doesn't any make
17 sense. We were in D.C.

18 So on November 6th, we did go to Georgia. I accompanied him. And he went
19 down and there was a press conference with like Ronna McDaniel and some other
20 Georgia people. I don't remember exactly who. But we were there very briefly, and
21 we flew out.

22 Q So Mr. Meadows responds and says, "Connect with Cleta Mitchell who is on
23 the ground there. I will send you a contact. She can work with Cleta."

24 A Yes. She was there.

25 Q She was at the event?

1 A Yes. She was in Georgia, there was like a building right where the event
2 was. So it was inside, and then the event was -- the presser was outside.

3 Q And Don responds back to Mr. Meadows, "Great. She's apparently
4 meeting us now."

5 A Yes.

6 Q So were you present at those meetings to discuss efforts post-election?

7 A Yes, I was. I was in -- it was kind of like a conference table like this. They
8 were talking about where does the election stand in Georgia? Have all votes been
9 counted? Just that type of thing, summarizing what happened, what's transpired,
10 where do votes, you know, stand, basically to see if there was a pathway or something
11 where it was close enough that Georgia would go Trump essentially.

12 Q And was it your understanding at that meeting, that Sonny Perdue was
13 leading that charge, or did it seem like Cleta Mitchell was?

14 A I don't know the name of who was leading the charge. We weren't there
15 very long. Sonny Perdue came in. I recall Cleta Mitchell. Eventually, Lin Wood came.
16 I'm not sure. I want to say maybe David Perdue. I don't know if Kelly Loeffler stopped
17 by. It was kind of that type of thing where people dropping in and passing through.

18 [REDACTED] Do you have any additional questions on that regarding that time
19 period in November?

20 [REDACTED] No.

21 BY [REDACTED]:

22 Q There's additional texts here regarding January 6th. But we're going to
23 come back to those because we're kind of sticking to that timeline order?

24 I don't think there's anybody online. Okay. Great.

25 So sticking with the events on January 5th, that night, do you remember speaking

1 with Ali Alexander on the phone?

2 A I do not. But I subsequently learned as I stated to you earlier today, that I
3 was told by Caroline Wren that she held up the phone to me and said, say Hi.

4 Q Oh, okay. So it was Ms. Wren's phone that called Mr. Alexander and she
5 told you to say hello to him?

6 A Allegedly. This is, again, what she told me, that well, actually, I held up the
7 phone, I don't know if you knew who you were talking to, I told you to say hi. This is not
8 uncustom for me. People do it all the time. Say hi to my Aunt Susie, say hi this person,
9 say hi to that person. And I don't know the guy. So, you know, it's not like I ever
10 talked to him or called him or had conversations in any way that I can recall. So that
11 was the first time, and then he talked about it on his podcast and tweeted about it. So
12 then I recall Taylor asking me, and that was during that around January 13th or
13 something, I don't know, saying, Oh, Did you talk to this guy, and I'm, like, who is he?
14 Then I'm, like, okay, Carolyn said that she put me -- he said Carolyn, I think, put you on
15 the phone or something like that.

16 Q Yeah. I think this was in your production, the January 15th text exchange.
17 This is exhibit 13. I think that's what you're referencing is the text you produced with
18 Mr. Budowich. He sends you, I believe, the tweet where Mr. Alexander says that, and
19 says, These people are nuts, very bad -- this is on page 2, These people are nuts, very bad,
20 should avoid at all costs. You respond, I don't even know him, and he writes back,
21 Caroline's friend she was working with. Did she put you on the phone with him or
22 something maybe? And you respond, I have no idea who he is. She said, say hi to
23 someone. Who knows.

24 A Right that's what she's saying, and that's what she told Taylor.

25 Q You said, so tired of her nonsense and she's off on vacation posting every

1 second, making a spectacle. That's consistent.

2 So I think that's the conversation you were talking about with Mr. Budowich. I
3 just want to make sure.

4 A Yes. And then I didn't talk to her for like 3 months because I was too
5 annoyed.

6 Q So the other thing I want to talk to you about is there were witnesses that
7 reported that you and Ms. Wren were on another phone call calling organizers that night.
8 There had been, I believe, either Megan Powers or Maggie Mulvaney and that Ms. Wren
9 and/or you were screaming that Ali Alexander, Roger Stone, and Alex Jones needed to be
10 on stage the next day because the public lady donor wanted them to be on stage?

11 A Absolutely not. I have no recollection of that. I didn't do any call. I
12 wasn't involved with this. I didn't organize it.

13 Q Okay. So now we're going to get to January 6th, and I know it was a busy
14 day and it was over a year ago. We're just going to walk through it the best we can from
15 beginning until end. I think you said it was a very, very early start. Can you tell us
16 what do you remember the first thing that day?

17 A It was early because I know we had to go to the White House.

18 Q Okay.

19 A Okay. So like I just -- we asked our Secret Service, Hey, what's the
20 movement for the day? Meaning they'll tell us, okay, Hey, this is what we're tracking,
21 we're getting you guys over here doing this, this, and this. We went over to White
22 House. I don't know the exact time. But it should be available to you for the logs.
23 Don and I went over there and basically, you know, we were there prior to going over to
24 speak at the Ellipse.

25 Q Okay. And if you had to guess, are we talking like dawn or just sometime

1 early in the morning before?

2 A I think it was early. Not dawn, but like I don't know, 8 or 9. You would
3 have better access to that information than me because I don't know.

4 Q You would be surprised at the reliability of some of those logs or possibly
5 not. That's why I'm just asking for your best recollection to the extent that you
6 remember what time you arrived at the White House?

7 A It was definitely morning.

8 Q Okay.

9 A Okay. So it was before noon. I would say some time. I don't know if it
10 was 8:30, you know?

11 Q Definitely before your speech, right?

12 A Oh, yeah.

13 Q Okay. So you start at the White House, and I'm assuming your detail --

14 A I was never at the White House after. I gave my speech. We listened to
15 President Trump, but really didn't hear it all because we were over in the back inside the
16 tent with the heaters and stuff, and then we left.

17 Q Okay. So your detail drives you to the White House if I understood that
18 right?

19 A That's my recollection.

20 Q Okay. So your detail drives you to the White House, and at this point in
21 time, is this the, kind of quote, Oval -- are you there, and you just jump right into an Oval
22 Office meeting with the President?

23 A I wouldn't call it a meeting. We always go in and see him. That's his
24 father, like, you know? He always says, Hi, kids, come on in.

25 Q So let's pause for a second there, because you make an interesting point.

1 You said it's his father. He's walking in. If he has that relationship with his dad, why
2 does he --

3 A No. He'll say for us to come. We don't just walk in the Oval Office.

4 Q Okay. Okay.

5 A You can't just walk in. He'll say Okay, come in, or something like that.

6 Q Let's come back that point.

7 A Because he might be working, right? You be respectful and you wait. If
8 he says, Okay, kids, come on in, then we go in.

9 Q I definitely did not get the impression that you were saying it's a kick open
10 the door, Hey, dad, kind of thing. I was not taking that away. But I do want to come
11 back to that, because the question of the communication there is an important one.

12 But with regards to when you get to the White House, where are you? What are
13 you doing?

14 A I don't know. I mean -- I don't recall. We walked in, and we were
15 somewhere around the President's offices, so to speak, right? Where you have the area
16 before you go in, where the secretaries are, where Scavino is, et cetera, before the Oval.
17 I don't recall exactly where we were, if we were sitting out in the hallway, what we were
18 doing, but eventually went in to say hi to him.

19 Q Okay. So for a frame of reference since this appears to be kind of, like,
20 where we're at. Let's put up exhibit 16 really quickly. This is the -- this is in your
21 binder. And this is actually -- this is the actual only document with the handwriting.

22 Is this the document you remember seeing? Because you said, Oh, my name,
23 Kimberly Guilfoyle, is handwritten at the top?

24 A Yeah. Maybe it is. Because I remember seeing all of our names on here.

25 Q Do you remember where you would have seen this?

1 A Yeah. It was in the press.

2 Q This document?

3 A I believe so. There's, like, a screenshot at the top of it. Maybe somebody
4 leaked it.

5 Q Okay.

6 A I mean, I don't know. I know there was one thing where my name was
7 written. I remember seeing Guilfoyle in handwriting, but I don't know if that was the
8 speaker thing or if it was this.

9 Q Okay. And this schedule is one schedule. If you look at
10 exhibit 18 -- excuse me, 17, the one right behind it. This is actually the daily diary of the
11 President?

12 A Oh, okay.

13 Q So this is presumably, I believe, it's supposed to be closer to what actually
14 happened. So if you look at the bottom of page 2 -- well, as you can see, there's a lot
15 going on that morning. There's a lot of calls, and if you look at page 2, there's a meeting
16 that's logged starting at 11:11 a.m. where the President was meeting with Don Jr., Eric
17 Trump, Ivanka, Lara, you, Stephen Miller, and I believe that's the people who are present
18 as listed.

19 Do you remember attending that meeting?

20 A Yeah. But I guess it -- I didn't consider it to be a meeting. We just go in
21 and sit with him. It says the President met with, because we were physically present,
22 but we weren't summoned for a meeting.

23 Q So were you in the room --

24 A It would probably say that exact thing any of the other times we go into the
25 Oval Office.

1 Q As you can see earlier, there are other places that he goes, he's not
2 necessarily in the Oval at that point.

3 A Uh-huh.

4 Q The diary log has him going into the Oval Office at 11:08, and then you all are
5 present in there meeting with him at 11:11?

6 A Okay.

7 Q Now, you may have been in there and he came in. I don't know. But
8 whatever the circumstance was, do you remember speaking with him around that time
9 that morning?

10 A I don't know. I saw him 100, percent in the Oval that -- we were all in
11 there, me, Don, Eric, Lara. I remember Ivanka in there. Jared was away. I don't
12 remember Kellogg, but --

13 Q He's not listed there.

14 [REDACTED] He is on exhibit 16.

15 [REDACTED] Okay.

16 The Witness. He is on the page before.

17 BY [REDACTED]

18 Q So just clarifying the difference between the two?

19 A Uh-huh.

20 Q That's helpful.

21 A Yeah. Okay.

22 Q And if you could just tell us, what do you remember about that meeting?

23 A Yeah. I just want to read the rest of this real quick.

24 So it's from 11:11, it says they met with us, and then he left to go to the south
25 lawn at 11:38.

1 Q Yeah. So if you look at them in order, as you said, you're in the Oval Office.
2 He comes in. There's a group of people that he's meeting with --

3 A Well, I don't know the order, which is, I don't know if -- like, I don't think we
4 would just go into the Oval Office without -- I don't know if he was in there, and we
5 walked in, or they put us in there, and then he came in just to be clear.

6 Q Oh, and I appreciate the clarification. So let's assume that as of 11:11, all
7 of you are present in Oval Office together?

8 A As notated in the daily diary, yes.

9 Q Yeah. If you look on the next page, he takes a call with an unidentified
10 person at 11:17 according to this, and then he leaves and goes to the South Grounds of
11 the White House at 11:38. He motored from the south grounds to the Ellipse, and he
12 arrives at the Ellipse and goes to the tent at around 11:41.

13 A Uh-huh.

14 Q So during that time period, during that meeting with you're in the Oval
15 Office, did you hear Mr. Trump discuss the remarks that were prepared for him that day,
16 January 6th? Do you remember him discussing that with anyone?

17 A No, I don't. You mean his speech?

18 Q His speech. Mr. Miller was present.

19 Do you remember him discussing with Mr. Miller the remarks that were
20 prepared?

21 A He might have. I don't have like a distinct recollection that he was, oh,
22 discussing his remarks per se, but he often will review or go over his remarks prior to him
23 speaking at a rally or anything like that.

24 Q Do you remember whether Mr. Meadows was there?

25 A Yeah. I recall Meadows being there at one point. People sometimes

1 come in and out.

2 Q Do you recall Mr. Kellogg being there?

3 A Yeah. I don't recall. But again, I see subsequent articles that say Kellogg
4 was in there. But I don't recall him being in there.

5 Q What about Herschmann, Eric Herschmann?

6 A I recall Eric Herschmann --

7 Q Being in the room at some point?

8 A Yeah. But like I just remember I was seated next to Don and Eric was over
9 here and we're like this, so I wasn't going like this all the time. You know what I mean, I
10 wasn't thinking we need to keep track of who's in here. I do remember, Oh, okay, you
11 see someone.

12 Q Do you remember then President Trump talking about what was going to
13 happen at the Capitol later that day in terms of the vote or anything that was going to
14 happen at the Capitol later that day?

15 A I don't have a recollection of that.

16 Q There's a book titled "I Alone Can Fix It." And in that book, it says that
17 during that meeting, you told the President referring to the crowd of people that were
18 out at the Ellipse, They're just reflecting the will of the people. This is the will of the
19 people.

20 Do you remember saying that?

21 A I don't remember saying that. I do remember reading about that in a press
22 article, and I was like, I don't remember saying that. And every everybody's like, yeah, I
23 don't remember you saying that. But I don't know if I said it or I didn't. I have no
24 recollection of saying it but.

25 Q Okay. The book also reports that Ivanka didn't agree and was really upset

1 at what I think Rudy and others had been telling the President. At one point saying
2 during that meeting, this is not right, it's not right.

3 Did you hear her say that, or did you get that impression from her?

4 A I did not hear her say that. But I think her opinion probably was -- well, I
5 don't want to speculate about it to be quite honest. I mean I don't recall her saying that
6 exactly, but it doesn't mean she didn't say it.

7 Q Did she seem upset about what her father was about to say on the Ellipse?

8 A No, nothing -- she didn't say anything to me, no.

9 Q She didn't speak that day. I think she was one of the -- primary children,
10 sorry, but one of the main children that didn't.

11 Do you remember having conversations with Don or any of the other family about
12 the ramifications of that or the relevance of that or her feelings, why she wasn't
13 speaking?

14 A Not really because then we just headed over there. But she was
15 administration. We're not administration. We speak at all these rallies and do that
16 type of thing.

17 Q So did something give you the impression that the reason she wasn't
18 speaking was because she saw her role as administration different than the folks that
19 were associated with the campaign?

20 A Not necessarily, but at past occasions, perhaps she might not speak at
21 something, you know?

22 Q Did something give you the impression that that was the reason why she
23 chose not to speak at times?

24 A I don't want to speculate on it quite frankly, but I mean, I kind of didn't think
25 about it because I was saying, okay, she's not going to go up. It was just me, Don, Eric

1 and Lara.

2 Q If you look at the top of page 3 of that exhibit.

3 [REDACTED] Did you have a question?

4 [REDACTED] I have questions about -- yeah, that morning. Are we moving on
5 from that?

6 [REDACTED] No.

7 BY [REDACTED]

8 Q I just wanted to ask, still on exhibit 17, but at the top of page 3, there's a call
9 at 11:17 where it says the President talked on a phone call to an unidentified person.

10 Other witnesses have said that around that time, that was probably when the
11 President called Vice President Pence to, you know, try to convince him to not certify.

12 Were you present when the President made a call around 11:17?

13 A I don't recall him, like, making a call. I recall he was on the phone with Vice
14 President Pence at some point during that time.

15 Q Do you remember anything that he said in terms of his side of the
16 conversation?

17 A I couldn't really hear 100 percent of what he was saying, and I definitely
18 didn't hear anything on the other line that identified that it was Pence, but it seemed like
19 he was speaking to the Vice President.

20 Q Did you see Ivanka try to speak to her father at all while he was in the dining
21 room?

22 A Oh, I wasn't over there.

23 Q Okay. Did you see Keith Kellogg talk to Ivanka at all?

24 A I did not.

25 [REDACTED] Did you have questions on that before we -- we're going to move to

1 the next --

2 [REDACTED] Sure.

3 BY [REDACTED]:

4 Q Going back to exhibit 16, you see the -- looks like you and others got there
5 around 11:10. 11:17, it says call with Senator Kelly Loeffler.

6 A Yes.

7 Q Do you recall hearing the President have a call with Senator Kelly Loeffler?

8 A Now that you say that, yeah, I believe that he had a call with her.

9 Q Did you hear both sides of the conversation?

10 A I did not.

11 Q What do you recall the President saying?

12 A Hi, Kelly.

13 Q Anything besides that?

14 A He's on the phone with Kelly.

15 Q Anything besides that?

16 A No, not really. It seemed like pleasant, like nice, you know?

17 Q Do you recall any discussion about whether Senator Loeffler was going to
18 object to the certification that was going to happen at the joint session of Congress later
19 that day?

20 A No, I didn't hear anything like that.

21 Q Okay. Then it says 11:20, call with VPOTUS that we were just talking about.
22 Could you hear the Vice President speaking?

23 A I could not.

24 Q How did you know it was the Vice President?

25 A I just remember like -- you're asking my recollection?

1 Q Yes.

2 A To the best of my recollection, that he spoke to Vice President Pence. I
3 don't know whether it was something, oh, he's on with VP Pence or if there was some
4 word or something he said that it was the Vice President.

5 Q Okay. And by then, I think it had been fairly well reported in the news that
6 the President and the Vice President had a difference of opinion about what the Vice
7 President's role should be at the joint session of Congress later that day.

8 Do you recall them having a disagreement about that on that call that started at
9 11:20?

10 A No. But I do recall him saying Mike, like Mike Pence.

11 Q Okay. Others have reported that the President got heated with the Vice
12 President.

13 Is that consistent with your recollection?

14 A The President seemed actually to be in pretty good spirits that day, and he
15 was excited to go speak, and he thought that there was a large turnout at the Ellipse for
16 the rally. So he seemed to be happy about that. I think he was unhappy in general
17 about the election and the outcome, and I think that's still the case.

18 Q But specifically, during that call with the Vice President, did it sound like he
19 was getting angry or frustrated with the Vice President?

20 A No, it really didn't. He actually keeps his voice down, kind of more soft
21 spoken.

22 Q Do you remember anything that he said on that call?

23 A Not really, but I did remember when you said that about Mike, like he was
24 talking Mike, more -- I remember him saying his name, but I don't know the context or
25 the conversation, and I didn't see the Vice President.

1 Q And were you listening to the President, or were you engaged in
2 conversation with other people?

3 A I was turned sideways talking to Don. I got up and I was using the restroom
4 to touch up my makeup because we were going to speak. I was getting up to walk
5 because my foot kept going numb. That's why I didn't hear the full President's speech at
6 the Ellipse. I was going to stand back. Ivanka said go stand by the heater to try to get
7 the feeling back in my right foot.

8 Q The heater in the Oval Office?

9 A No. In the outside --

10 Q When you were at the tent?

11 A The white tented area where they have the heaters and stuff.

12 Q Do you remember when you were in the Oval Office and the President was
13 talking to the Vice President, and I know you said you didn't always look behind you to
14 see who was there, but do you remember where Ivanka was sort of in the back with
15 General Kellogg?

16 A I don't. I remember, like, Ivanka kind of over on this side. As far as my
17 recollection goes, it went me, Don, either Lara, Eric, or Eric, Lara, and then Miller, other
18 people, towards over this way in the back.

19 Q Were they standing or sitting?

20 A I don't remember if I saw Stephen Miller ever sit. He's not a real sitter.
21 He stands and walks.

22 Q And you -- just so I understand, was Ivanka towards the back also?

23 A I recall her -- I wouldn't say towards the back. I recall her on the left side of
24 the room versus, say, the right side of the room. Does that make sense?

25 Q Yes. The left side as you're facing the resolute desk?

1 A That's correct.

2 Q Okay. After the President finished his phone call with the Vice President,
3 do you recall whether he said anything about the call with the Vice President?

4 A No, he didn't really. He just hung up the phone, and I think we had to leave
5 because we were heading over ahead of him.

6 Q Do you remember him saying anything after the call with the Vice President?

7 A I really don't. No.

8 BY [REDACTED]

9 Q During the call with the Vice President, some people have reported that he
10 called the Vice President a wimp. When you realized that it was Mike Pence that he was
11 talking to, did that stick out in your head, like, the use of any kind of derogatory terms
12 towards the Vice President?

13 A No. But if I heard that, that would have not been good.

14 Q No. I agreed. But do you remember him saying that?

15 A I do not remember him saying that, honestly, because when you just said
16 that, that surprised me. Because he always really liked Mike Pence, and they had a
17 really nice relationship always. They're just friendly. They had a really nice, cordial
18 relationship for the 4 years.

19 Q But your recollection when he hung up with the Vice President was that he
20 seemed relatively calm, not upset or pissed off?

21 A Not pissed off. He was kind of quiet, you know? But I also try to be
22 respectful, and, like, mind my own business, you know, not to be nosing into his business
23 and listening and being inappropriate.

24 [REDACTED]: That's just a white noise machine outside.

25 [REDACTED]: But just so I understand, you testified earlier that while the President

1 was talking to the Vice President, at times, you were having side conversations, so you
2 wouldn't necessarily have heard everything the President said?

3 The Witness. That's absolutely true. That's a fair statement, and I can tell you I
4 have a memory like a visualization of where people were standing or sitting. And
5 then -- but that doesn't mean they didn't move around and went to a different position?

6

BY [REDACTED]

7 Q Do you remember being able to see the people on the Ellipse from inside the
8 Oval, like the visual of it?

9 A I'm trying to think if I could see something out to the left or not, or we saw a
10 TV, you know, what I'm saying? I don't know if I -- through the window or through the
11 television or something, like, looking out to see, you know, where it was or who was out
12 there.

13 Q I think part of what's been reported was the fact that from the Oval, people
14 in the office or the President could see a lot of the people that were on the Ellipse.

15 A Yeah.

16 Q I think that's right. I'm curious if the people who were in the office,
17 especially given the quote that was attributed to you, presumably it would have been a
18 sight in terms of all the people on the Ellipse. I was just curious if that stuck in your
19 head at all, if you remember?

20 A I did tell you that the President made some remark or was happy about Oh,
21 wow, the turnout.

22 Q The turn out, sure.

1

2 [5:52 p.m.]

3

BY [REDACTED]

4

Q The turnout.

5

A Sure. He likes turnout.

6

Q Yeah, that is really clear that he's very excited when people come to his

7

rallies and his events. So do you remember any discussion about how great the turnout

8

was, all the people, like who was saying that other than the President?

9

A I think everybody was kind of just remarking, oh, wow, it's a big turnout.

10

There's a lot of people out there. And that was kind of cool. It was nice to see support

11

for him after a very, you know, tough campaign and election and outcome. And so it

12

was just nice to see. Anyone would feel that way.

13

Q Do you remember any discussion with the people in the meeting about, you

14

know, anyone that was present that you overheard talking about goals in terms of what

15

to say at the rally or what they hoped to get out of the rally or just kind of what was going

16

to happen at the rally when they got there?

17

A No, not really. Like I said, I just got up and I was extemporaneous. Don

18

was extemporaneous. Lara and Eric, and that was it.

19

Q But no discussion about, hey, what are you going to say, what are you going

20

to say --

21

A No.

22

Q -- or consistency or themes that we're going to address? No discussion

23

about what was about to happen?

24

A No. But we do a lot of speeches, so this isn't something --

25

BY [REDACTED]

1 Q I know you mentioned you didn't recall stating the line in the book
2 reference, but did you, in fact, speak to the President during that meeting?

3 A Oh, we just went back and forth. Oh, hi. He says, you know, hi, honey, hi,
4 kids. You know, he refers to us as the kids. And that, oh, yes, a big crowd out there or,
5 you know, something positive to that effect.

6 Q Did you say anything that -- not necessarily the wording that's noted in the
7 book, but did you say anything in the same sum and substance, anything about why the
8 people were there, the will of the people, the intention behind the crowd, the goal of the
9 crowd?

10 A Yeah, I don't recall saying anything about that, about the will of the people
11 or it's the will of the people, meaning, you know, if the people are excited to show up for
12 him, I think that says something, but I don't recall using that exact verbiage or semantic.

13 That's my recollection as we sit here today. I'm not saying it's impossible, but I
14 actually don't ever remember saying that. And I didn't when I heard about it when that
15 book came back at the time, and I still do not remember ever saying that.

16 [REDACTED]: If I could ask you a small favor, because they turned the white noise
17 machine up and my hearing is terrible. Would you mind speaking up just a little bit
18 louder? It got difficult to hear you when they turned that machine on.

19 The Witness. I apologize.

20 [REDACTED] No, you couldn't know. It's just definitely on this side of the room.

21 BY [REDACTED]

22 Q And I guess just, rather than getting just to the language specifically, I'm
23 asking something more broadly, right?

24 A Sure.

25 Q Because when I hear the will of the people, that is in a sense, it's -- to me at

1 least, it's speaking about the intention behind why the people are there. Like, the
2 people are, as in this, it's a political statement to some degree. The will of the people
3 speaks to you're seeing what the American people politically want.

4 Did you talk to the President about anything like that?

5 A I did not.

6 Q Okay.

7 A No, I did not.

8 BY [REDACTED]

9 Q There seems to be in capturing -- to my colleague's point regarding you
10 saying they're just -- you being alleged to have said, they're just reflecting the will of the
11 people, this is the will of the people, and then the contrast with what Ivanka is quoted as
12 saying, this is not right, it's not right. There seems to be --

13 A Are you saying that those two things coexisted in direct response?

14 Q No.

15 A Because there was nothing like that that ever happened.

16 Q No, that's not what I was saying.

17 A Okay.

18 Q What I was saying was in the quotes that this book uses, there seems to be
19 capturing a different dynamic between people at the meeting who may have been saying,
20 this is great, there's tons of people, everything about this is fantastic, and some people
21 saying, this is not a good idea.

22 Did you get that vibe or --

23 A I didn't -- so essentially you described it. I did not get the sense that there
24 were like polar extremes in there. It wasn't that type of thing. It was just it was a cold
25 morning. It was early. We were there for not that long a period of time before the

1 President -- we even then took off. He might have been there longer than we were,
2 because we went ahead of him to the event and to the rally, when he left to go to the
3 South Lawn and we went.

4 And that's why I'm saying to you that those events, by virtue of the -- what do you
5 call them, the agendas or whatever those documents were, that it shows those -- that
6 happened very early. They started apparently it looks like at 7:30 or something in the
7 morning. So we missed all of it except for when we spoke, you know, before the
8 President's arrival.

9 Q We're going to come back to the when you leave, but I just want to go back
10 for a moment where when I was describing the vibe you said, well, it wasn't those
11 extremes. But was there anyone in the room who was indicating some concern that
12 there was maybe a negative aspect or a concerning aspect of a crowd that was really riled
13 up and they're protesting a stolen election?

14 A I didn't see it that way. I mean, I was there and it was very peaceful, and it
15 was like -- I'm very surprised by what happened, based on --

16 Q No, I understand.

17 A -- my personal experience at the rally. It was like a nice rally and people
18 were very respectful. There was no violence at the rally or anything like that.

19 Q Let me just clarify, just in the interest of time, because you answered a
20 question I didn't ask.

21 My question was, in that meeting in the Oval Office, was there anyone present
22 who was expressing their concerns about the people being there, about the signs,
23 about -- was there anyone expressing any negative feelings about what that crowd
24 indicated?

25 A Not that I recall or heard.

1 Q Okay.

2 [REDACTED] go ahead.

3 BY [REDACTED]

4 Q Did Ivanka Trump ever in your presence express any concern about the
5 President's continued challenges to the 2020 election?

6 A I think Ivanka was concerned in general about that, yes.

7 Q And how do you know that?

8 A I just have that recollection, but I can't tell you from exactly when or where
9 that it was stated.

10 Q Do you remember anything about what she said to that effect?

11 A I think she was just concerned about continuing to challenge the election
12 results. It was just basically sort of that general feeling or consensus.

13 Q And do you know what Jared Kushner's position was on that?

14 A I'm not sure. I mean, I would have to speculate, but maybe the same, you
15 know.

16 Q No. No, you don't have to speculate, but did he ever express to you what
17 his views were?

18 A Not that I recall that I had that conversation or, you know what I mean,
19 spoke to him on the phone or anything like that. He also wasn't there.

20 Q Did anybody ever convey to you that Jared had had concerns about the
21 President continuing to challenge the 2020 election?

22 A Yes, I recall something like that. But like not a direct conversation with me
23 and Jared, but it sounds familiar hearing something like that.

24 Q Do you remember who you heard that from?

25 A I do not.

1

BY [REDACTED]

2

3

Q Do you remember whether Don shared those concerns, whether he was in agreement with what you perceived Ivanka's concerns to be?

4

5

6

7

8

A I think, you know, Don is actually just, you know, a pretty, despite Twitter, measured guy. You know, he actually will evaluate something and say, okay, this is -- despite his Twitter -- is going to evaluate something, say, this doesn't, you know, seem like it's good or that. He's not afraid to speak up to his father. So -- and that's a good thing.

9

10

11

Q Where did he fall in terms of the -- let's say Ivanka's on one end of this may not be the best idea challenging the election this far versus other people who wanted to challenge it forever. Where do you think he fell in terms of the --

12

13

14

A I don't know. Yeah, I don't know the challenge it forever people, but I mean, you know, you look at facts, you look at evidence, and he would want to make sure that the election was, you know, fair and that were -- legal ballots were cast.

15

16

17

18

And I think it was concerning, and it still is concerning, that President Trump, you know, received 13 million more votes in the 2020 election than he did in 2016. So that would make him the first, you know, American President to lose an election receiving more votes than he did in his first term.

19

20

21

22

23

And having been traveling across the country with him at all of these rallies, all of these stops, I mean, we did thousands, and seeing the enthusiasm and just the lines all the way out, down streets, down freeways, people waiting days ahead of time, it was unbelievable the amount of enthusiasm, more so than, you know, we even saw in 2016, and the people and the support that he had.

24

25

So it just did not make a lot of sense to see that Joe Biden, who could barely get like hardly any people to come to any of his events, all of a sudden turned out all of these

1 votes.

2 Q Well, so here's -- and I don't want to cut you off, but I will say this: We
3 could spend a bunch of time explaining to you how it makes sense, but it's 6 p.m. And
4 so rather -- I don't want to contest, like, your beliefs.

5 A No, no, no, but you asked me what were people -- so it wasn't two polar
6 divides. It was sort of like, hey, well, let's check this out. I'm talking about November
7 3rd and they're still counting votes, and you want to make sure that valid, legal votes are
8 cast and they'll actually be counted. If I give a vote, I would like my vote to count. I
9 would like to not have someone vote twice, or I would like to not have machine errors or
10 malfunctions or whatever.

11 I don't know. It wasn't my purview or responsibility to investigate, you know,
12 the election. I was there to raise money during the 2020 campaign, which, you know,
13 ended on November 3rd.

14 Q As of mid-December, it's pretty well established that President Biden is going
15 to be the next President. Do you remember having conversations with Don around that
16 date about whether it was over or whether there was still a fight to fight?

17 A What date?

18 Q The mid-December, we'll say.

19 A Not specifically, but Don and I have a lot of -- you know, a lot of things going
20 on and we help a lot of different candidates. So it was a pretty, you know, busy
21 schedule. We didn't sit down and have specifics about that kind of conversation.

22 And that's why that text was surprising, because I don't ever remember Don
23 saying anything like that. I don't think he knows how that process worked. So I'm
24 sure -- to me, it seems like he copied and pasted it from someone else.

25 Q So earlier you said that you left and went to the Ellipse before the President.

1 Do you remember how you and Don get to the Ellipse?

2 A Secret Service.

3 Q Okay. So --

4 A That's my recollection. They then took us over and we motorcaded over.

5 Q Is that with Eric and Lara?

6 A They have their own detail.

7 Q Okay. So your detail takes you, their detail takes them?

8 A Yes. We go together, they go together, like each family.

9 Q And what happens when you get to the Ellipse? Walk us through that.

10 A We're just trying to make the movement to get through. Like I said, it was
11 extremely cold and it was like adverse conditions, basically. So we went into the hold,
12 which we called the hold. And we were just, you know, waiting to see when we were
13 going to go on. But it was pretty quick.

14 We were right there up at the front. And then it was -- the order was already
15 decided. And it was like Lara, Eric I think. I'm not -- I'm trying to remember the
16 exact -- yeah, yeah. I think they kind of were up together at one point, and then she's
17 saying him -- or said, oh, wish my husband happy birthday. And then Eric said, Kimberly.
18 And then I was going on after Eric. And then Don.

19 And then I think -- I don't know if somebody else spoke in between or not. I'm
20 trying to remember, because there's also a little bit of a gap for the President. But then
21 we were over in the back, because it was cold, yeah, and I wanted to go to the heater.

22 Q So we're going to come back. There's a video that Don takes in the tent. I
23 don't know if you remember. It was on YouTube. At that time, I believe the President
24 is in the tent.

25 Do you remember, when you were in the tent, about how long it is between the

1 time that you arrive and the time that Eric and Lara get up and then you successively get
2 up? So basically, from the time that you arrive, how long is it until you speak?

3 A It was pretty quick.

4 Q Quick, okay. And that makes sense. So they get there, they get on the
5 stage. You guys get on the stage.

6 A Well, we were all there together. Like, because we left the White House.
7 And I think they motored over, we motored over, and then we're all there and then it's
8 boom, boom, boom, boom, boom.

9 Q Okay. So let's just jump right into talking about your speech. Earlier, I
10 think you mentioned that Caroline Wren emailed you a proposed speech to use, and I
11 think you produced that in your production maybe.

12 A Yeah, I think we --

13 Q It's like exhibit 14 I think, if you look at it. Yes, the email is 14. The speech
14 is 15.

15 A Oh, yeah.

16 Q So this is on January 6th. I believe she's sending this to you. So I actually
17 think that that time may be wrong, because if you look at the next email, which is a copy
18 of that, it says January 6, 2021, at 7:43 versus 12:43 p.m. I think that may be the UTC
19 difference.

20 Do you remember getting the speech early that morning from Ms. Wren?

21 A I don't, because I never asked her for a speech. And I didn't give this
22 speech. I didn't even basically look at this speech or read it. I've done it now to look at
23 it, but I gave my own speech. And if you play it, you will see that I just got up and
24 extemporaneously gave my remarks. I don't need a speech from --

25 Q Yeah, I'm going to come back to that in one moment, so let's just pin that for

1 a second.

2 In looking at the email that she sends you, first off, who are the ccs Kyra Schaefer
3 and Cassidy Kofoed?

4 A Oh, those are the people I believe that were on that memo.

5 Q Okay. They're like organizers or people helping organize?

6 A I don't know how to classify the staff or what their official title was from that
7 event. It said that Caroline, Maggie, I believe, and it said Kyra and --

8 Q Kyra Schaefer. And Cassidy Kofoed, is that -- earlier we were talking about
9 a Rick Kofoed. Is that any relation?

10 A That is the daughter -- one of the daughters of Rick and Stacy Kofoed.

11 Q Okay. And when Ms. Wren attaches the speech and sends it to you, it says
12 KG SPEECHv2, suggesting that it was a second version?

13 A Yeah. I don't know.

14 Q Did you ever get a first version?

15 A Not that I recall.

16 Q If you could look and check into that just to see if there's a first version that
17 she ever sent you, that would be really helpful.

18 A Yeah. I mean --

19 Mr. Tacopina. We will. We'll do that.

20 [REDACTED]. Yeah, that would just be helpful followup.

21 The Witness. If it was there, we would have produced it.

22 BY [REDACTED]:

23 Q And if we could look at the text of the speech that she sent you. So this is
24 doc 15 -- excuse me, exhibit 15. And she says -- let me just read a portion
25 that -- because it's long. But if you could turn to, let's see, page -- let's see.

1 A It's only three pages. You're referring to this here?

2 Q Yes. I just didn't want to read all three pages into the record. But
3 somewhere there's a point where she says -- oh, here we go, in the middle of page 2.
4 Apologies. There's a sentence that starts, quote, "whether or not they will win." So
5 she says: "We must take back this country from the machine and STOP THE STEAL!"
6 Do you see the all caps STOP THE STEAL?

7 A Yes.

8 Q Okay. So she says: We must take back this country from the machine and
9 Stop the Steal. It's the people like you, real American patriots, who must take back this
10 country from the machine. As we have seen, the Democrats will lie. They will cheat.
11 And yes, they will steal. But whether or not they will win is up to you. Will you roll
12 over like the country club Republicans of the past? Or will you stand with President
13 Trump and Fight Back? Will you fight for freedom? Will you fight for the Second
14 Amendment? Will you fight for life? Will you stop the steal!? God bless all of you
15 fighters. God bless our law enforcement, first responders, soldiers, and veterans. God
16 bless President Trump and the entire family. And God bless America. We need you
17 to -- all caps -- GO FIGHT! Fight for America. Fight for your future. And fight for
18 President Trump. Now it gives me great pleasure to introduce the hardest fighter I
19 know, Donald Trump, Jr.! And remember, the best is yet to come!

20 A That's my RNC line.

21 Q I'm curious. Have you said that since then?

22 A Oh, come on. People ask me to this day. Oh, they come up to me and
23 like, you know, at restaurants, hey, can you say the best is yet to come. And I'm like --

24 Q Okay, this whole thing was worth the reenactment.

25 Okay. But I did want to ask you, so I don't know if you know that Mr. Ali

1 Alexander was really associated with Stop the Steal. Like, that was the name of --

2 A No, I don't, because I didn't know who that guy was until after all of this
3 when he said that he spoke to me, et cetera, et cetera.

4 Q And she includes that multiple times in here. Her speech used the word
5 "fight" 11 times, nine alone in what I --

6 A Whose speech?

7 Q Ms. Wren's, the one that she just sent you this email.

8 A Oh. I was like, she spoke?

9 Q No. The speech that she drafted for you used the word "fight" 11 times,
10 nine alone in what I read.

11 A Right.

12 Q She -- I'm going to proffer to you that she knew that President Trump was
13 going to send everyone to march to the Capitol, and she wrote to a crowd of thousands
14 we need you to GO FIGHT in all caps.

15 A This speech was never given, and this isn't my speech.

16 Mr. Tacopina. Wait for the question.

17 BY [REDACTED]

18 Q And actually, that is my question. Did you have concerns when you read
19 this and say, no way am I using that?

20 A When I see this now and read it, I would never give this speech. And I don't
21 even recall ever opening or receiving it and seeing it, because I was never going to use a
22 speech from her to begin with.

23 Q Okay.

24 A I don't need her to write a speech. This is not a speech that I would
25 approve or ever write. Like, it's just -- and to me, it's like why is she sending me this

1 nonsense.

2 Q And your speech was very different from this.

3 A Yes.

4 Q There was a line that you said, though, in your speech: We will not allow
5 the liberals and the Democrats to steal our dream or steal our elections.

6 What were you referring to when you said the Democrats were stealing our
7 elections?

8 A I'm referring in general, in this country, we shouldn't allow anyone to steal
9 elections. They should be fair elections that are monitored, that are legal, that are valid,
10 where all lawful, legal votes are calculated.

11 Mr. Tacopina. That was a mistake. That was not a signal.

12 The Witness. I'm like, you're --

13

BY [REDACTED]

14 Q Okay. And after your speech, you introduce Don. He comes up and he
15 speaks. And then there's it looks like a gap, I think, between Don and President Trump
16 speaking, if I remember correctly. I may not be remembering correctly.

17 A Yeah. There's some time that passes, because that's how it always does.
18 The President likes there always to be music. He has a sound track thing that he plays of
19 his preapproved songs that he plays at every rally, every once in a while makes some
20 changes to it, et cetera. And he likes to do that, build momentum. And then he gets
21 up and does his thing. And that's just how it is.

22 Q And I'm trying to figure out the timeline. At this point, when you finish
23 your speeches, you're hanging out in the tent, right?

24 A Freezing and dying and hoping he comes soon.

25 Q And I think this is when I believe the video happens that Don is filming, right?

1 A Yes, because so they're playing music, right, which is the President's
2 approved sound track of songs. And one of them that plays at all his rallies besides
3 YMCA is Gloria. I don't know what the name of the song is.

4 Q I think it's actually --

5 Mr. Tacopina. YMCA by the Village People?

6 The Witness. Have you not watched any Trump rallies?

7 [REDACTED] No, it's actually a song I believe called Gloria. I believe the name of
8 the song is Gloria.

9 The Witness. Oh, yes, that is a song, but he also --

10 Mr. Tacopina. That eighties pop song thing?

11 The Witness. Yes, but he also plays YMCA and some other ones.

12 Mr. Tacopina. Oh, my gosh.

13 [REDACTED]. It's a very distinct sound track that he, I believe, has a heavy hand in.
14 So Ms. Guilfoyle is exactly --

15 The Witness. Yes.

16 [REDACTED] Based on what we understand, that is very correct.

17 The Witness. So they played that. And I am a child of the eighties, and so I like
18 that. And Don's like, Princess -- I think he said Princess -- you know, show us your dance
19 moves. And I'm a good dancer.

20 BY [REDACTED]

21 Q So when you're hanging out in the tent, there's a period of time I believe
22 before the President arrives. And then the President arrives and is in the tent for a bit
23 even before he goes on stage. Do you remember that?

24 A Yeah. I recall like, yeah, right before. And then there's all the monitors
25 and then he'll go out. They'll make the announcement and he goes out.

1 Q So you produced exhibit 30. These were the photos that you took, I
2 believe, in the tent.

3 A Yeah. These are the photos. You asked for some photos.

4 Q Yeah. Because the video -- and we'll come back to the video in a moment,
5 but the video actually showed you taking these pictures.

6 A Yes.

7 Q We asked for the pictures and you produced them. So these are pictures
8 you took of the monitor and what people would have seen in the tent. Is that right?

9 A Depending on where they were located. But these monitors were in the
10 tent, so some people would have seen them. I mean, I can't say who saw it and who
11 didn't, you know what I mean?

12 Q Right. Now, the first photo appears to be a photo you took of what was in
13 the tent. But the second photo appears to be clearly a photo somebody else took since
14 it's of you and Don on the stage. Do you know who took that photo?

15 A I don't know actually, but I actually really like it.

16 Q And the third photo is of Don and a number of male individuals. Did you
17 take that photo?

18 A Yeah. I think I took that one, uh-huh. Oh, where he's doing a selfie, you
19 mean?

20 Q Yes.

21 A He's doing a selfie with Meadows.

22 Q And who is behind him to the right, over Don's right shoulder? Actually, it
23 would be his left shoulder, but it's our right.

24 A It's kind of like a weird like --

25 Q The white-haired gentleman.

1 A -- yeah, angle. Is that --

2 Q I was just curious if you recognized him.

3 A But the head shape, like the -- you know what I mean? It looks distorted.

4 Q Exhibit 30. And do you recognize the White man with glasses standing to
5 the right of that white-haired gentleman?

6 A Who?

7 Q Let me just say, do you recognize any of the men in the picture --

8 A Yes. Mark --

9 Q -- other than Don Jr. and Mark Meadows?

10 A Mark Meadows and Don. And then I'm just trying to think right here.

11 [REDACTED] Is the person with the white hair Eric Herschmann?

12 The Witness. It looks like -- his head looks like a weird angle or something.

13 BY [REDACTED]

14 Q I think he was, I believe the word is photo bombing.

15 A Yeah. But I mean that looks like Herschmann, but it looks like a
16 little like -- but I think it's just the angle I have it at. And then I don't know who's next to
17 him. That might be Secret Service or White House. Somebody's wearing a pin.

18 Q And the next photo I believe is one you took of the same monitors. It's like
19 a closeup maybe.

20 A I think so, yeah.

21 Q And just out of curiosity, were you taking those pictures just to kind of -- it
22 looks like maybe you were focusing on how many people were there.

23 A And I just thought it looked cool and I liked that it said the best is yet to
24 come.

25 Q Okay. And did you have any conversations -- we're going to come back in a

1 moment. We're going to play the video in a second. But there's clearly a time where
2 the President at that time is watching the monitors, and it looks like he's kind of enjoying
3 like watching the people and seeing what's happening.

4 Did you have any conversations with him while he watched the monitors or while
5 you were in the tent with him?

6 A Oh, I thought you were asking me to look at something.

7 Q No, it was just the pictures.

8 A Oh, did I have any conversations with --

9 Q With the President.

10 A It was very loud in there, because the music was so loud. The music is
11 pumping.

12 Q In the tent?

13 A Oh, yeah.

14 Q Okay.

15 A You can hear it everywhere. That's why I was dancing to Gloria.

16 Q Okay. And actually, let's turn to that, because it's easier. We'll just play
17 the video that Don takes in the tent. I'm pretty sure it's pretty brief.

18 [Video shown.]

19 [REDACTED] It gets better. Let us hit play.

20 [Video shown.]

21 BY [REDACTED]

22 Q If we can hit pause really quickly. Is that Lara Trump in the gray coat?

23 A Yes, it is.

24 Q And do you know who she's talking to?

25 A May I?

1 Q Oh, yes, please. And to the extent that you recognize anybody -- just watch
2 the cord.

3 A I know.

4 Q Okay.

5 A Did you press play? That looks like Kellyanne Conway. Am I wrong?

6 Q The woman in the blue scarf?

7 If you don't recognize anyone, that's okay. We were just trying to --

8 A I mean, it looks like she resembles Kellyanne Conway, but I can't kind of
9 totally see the front of the face to know if it's not someone else.

10 Q That's okay. We will move on. I was just curious if you recognized
11 anybody in the tent.

12 But if we can just -- we'll hit play. And to the extent that you recognize anyone,
13 just let us know.

14 [Video shown.]

15 The Witness. Me. Limited dancing with my foot.

16 [REDACTED] It's actually impressive.

17 The Witness. But he is always asking me to dance.

18 Oh, that wall, Meadows.

19 BY [REDACTED]:

20 Q So at this point, the President does not appear to be in the tent, correct?
21 Oh, there he is.

22 A He's right there.

23 Q There he is, right there.

24 A And that's Ivanka, and that looks like the back of Eric's head.

25 Q Okay. That's super helpful. Let's just keep playing. So he is in the tent

1 at this point.

2 A Yeah. We're getting ready for him to go up and speak.

3 Q Okay.

4 A And that's why they're playing his soundtrack.

5 Q Oh, so that's Eric right there, right?

6 A That is correct.

7 Q And that's Ivanka, you said, right next to Trump, in between him and Eric?

8 A Yes. Yes, that's Ivanka.

9 Q Did you happen to see Amy Kremer in the tent?

10 Oh, stop it. That's okay, keep going. I apologize. I thought it was --

11 A Meadows. Herschmann in the back.

12 Q So if we could hit pause there. The volume?

13 A No, the audio is like --

14 Q Oh, that's probably just the bandwidth issue.

15 A Okay.

16 Q But at the end there when you say, have the courage to do the right thing,
17 fight, what did you mean when you said that?

18 A Meaning like fight for what you believe in. Like, people say fight, fight for
19 your rights, fight for your -- like I did as a prosecutor. Fight for protecting child abuse.
20 Fight for victims of domestic violence. Like, fight for what you believe in.

21 Mr. Tacopina. What didn't you mean?

22 The Witness. I didn't mean anything about any insurrection or inciting any kind
23 of violence. I abhor anything like that happening.

24

BY [REDACTED]

25 Q You mentioned Ivanka was in the tent. There were witnesses who said that

1 she may have seemed a little uncomfortable. Did you get the impression that she was
2 uncomfortable being there or that she got flak from any Trump supporters for not being
3 on the stage?

4 A I didn't -- no, I did not.

5 Q Okay.

6 A You know, because she was just being Ivanka, nice and --

7 Q She kind of stood there neutrally?

8 A Yes. She's just -- yeah. She's a classy lady.

9 Q Do you remember -- I'm sorry, I didn't mean to cut you off.

10 A She's a classy lady.

11 Q Do you remember interactions with -- I don't know if you remember earlier
12 we spoke about the Kremers, the women from America First?

13 A Yes.

14 Q Do you remember seeing Amy Kremer, the mother, in the tent?

15 A I recall her at the time around when we went to go speak, right? And she
16 was there with Katrina and I think her daughter. I think that's her daughter.

17 Q And witnesses characterize that you may have given her the cold shoulder.
18 Did you have any issues with Ms. Kremer?

19 A Absolutely not.

20 Q Okay. When --

21 A I'm always very polite to her, to everybody. I -- you know, a nice lady.

22 Q When the -- there were some witnesses that heard then-President Trump
23 talking about going to the Capitol before he went on stage. Did you hear any of those
24 discussions?

25 A I did not.

1 Q And then he mentioned it again, actually, when he came off. Did you hear
2 him say anything about that?

3 A I did not, because I was in the back, all the way in the back of the tent. And
4 Ivanka was by the heater, and she knew that my foot had been like really, really hurting
5 and it was going completely numb. It was so cold on the ground and I just had the heel
6 on. And so she said, Kimberly, come stand over here where she was so that I could get
7 warm and heat my foot and leg up.

8 Q So you were in that back of the tent area during his entire speech?

9 A Yeah. We moved around a little bit, but like, you know, quite frankly, it
10 was really, really uncomfortable and hard to be there at that point.

11 Q Did you talk to anyone regarding the march to the Capitol or the plans to
12 march to the Capitol?

13 A No. I didn't know anything about it.

14 Q At what point do you understand that people are marching to the Capitol?

15 A Well, I left immediately. When the President was done, we took off. I
16 went back to Trump Hotel, grabbed my bag -- I think it was downstairs -- and went
17 immediately to the airport with the Kofoeds and flew back to Florida. And Don left. I
18 think he had to go to work in New York. He did not fly back with us. And so -- and that
19 was that.

20 Q Okay. And so you leave immediately with the -- on the Kofoeds' plane, you
21 said?

22 A Yes.

23 Q And did you hear the President say, I'm going to march with you to the
24 Capitol? I'm paraphrasing, but the part where he says we're all going to the Capitol?

25 A No, I did not.

1 Q You didn't hear that?

2 A No.

3 Q Do you remember hearing, at any point prior to the speech, that the plan
4 was for people, for everyone to march to the Capitol?

5 A Who's everyone?

6 Q The people at the rally.

7 A Okay.

8 Q Do you remember ever hearing anyone, organizers, Ms. Wren, anyone say
9 the plan was going to be to march to the Capitol?

10 A No.

11 Q Okay. When it was called March for Trump and March to Save America and
12 the website was TrumpMarch.com, what did you understand the march part of that to
13 be?

14 A I never went on the website or did any of that, so I didn't understand it to
15 mean anything. I thought it was a Save America rally to go and speak, and that's what I
16 did, meaning I didn't -- I wasn't going to march to go do anything and I didn't hear
17 anybody talking about going to do marching, but you have to understand I was in sort of a
18 very limited environment.

19 Q And it just --

20 A I wasn't out in the crowd. I wasn't talking to people or anything like that.
21 I wasn't there early in the morning. We went from Trump D.C. Hotel, White House,
22 Ellipse, speak, hold, wait for POTUS to arrive, POTUS arrive, POTUS speak, leave, depart,
23 and motorcade back to Trump D.C., and then direct to the airport.

24 Q Okay. And do you remember --

25 [REDACTED] If I could just note, the graphic that Ms. Wren sent to you

1 that everybody saw, that did say march, correct?

2 The Witness. I'd have to see it again. I mean, if you say so, yeah.

3 [REDACTED] Oh, it said march like three times. It said like march for Trump,
4 march --

5 Mr. Tacopina. Isn't that the first one that she said, no, don't use that one?

6 [REDACTED] The one that she said no, yeah.

7 BY [REDACTED]:

8 Q And then I think but also the itineraries, if I'm not mistaken, those also
9 indicated marches that were sent prior to the 6th.

10 A Yes, I understand what you're saying. I'm saying that I'm not -- as I sit here
11 today, and I don't have any recollection of, okay, there's a march or anything like that. I
12 mean --

13 Q Was your understanding that when the rally was complete -- was your
14 expectation that this rally, that the idea was that the President would speak, and at that
15 point everybody would kind of go home and life would move on to the Biden Presidency,
16 or what was your expectation?

17 A That is usually what happens. After every single rally, you know, people
18 then try to exit and leave and go about their business. I mean, we've done, you know,
19 hundreds of them.

20 Q But did you have conversations? I mean, this rally seems quite different in
21 that Congress is at that time engaging in a process by which it's going to certify the next
22 President. President Trump has been publicly for weeks talking about people doing the
23 right thing, and by that he's meaning object to the certification of the vote.

24 You in your comments in that video replicate the exact same language in saying to
25 fight and to do the right thing, right?

1 A I think the right thing is to stick up for yourself, for your personal and
2 political beliefs, fight for what you believe in. That's just in a generic term.

3 Q You mean that is not connected to anything that happened that day, but if
4 you believed Biden was President, that you meant fight for that? If you meant Trump
5 was President, fight for that?

6 A It meant nothing whatsoever in connection to certification or Biden/Trump.
7 What it was referring to is like stick up for what you believe in, make your voice heard, in
8 a good way, meaning we've lost the election, but you should still stand up for what you
9 believe in. And, you know, that's all I meant.

10 And in no way do I condone, as a former prosecutor, any kind of violence on the
11 Capitol or violence being committed whatsoever. And you asked me what I expected
12 that day. I expected that the election was going to be certified. And, in fact, that it
13 was.

14 Q And when you went in that day, was it your view that President Trump had
15 lost the election? I think you just used the term "lost." Was that fair to say that you
16 believed -- when you said what you said there, but at that point you believed he had lost
17 the election?

18 Mr. Tacopina. I need clarification on that question. Do you mean factually lost,
19 like according to the United States Constitution or the electoral votes, or are you asking
20 her her personal opinion as to whether or not she thinks there was validity to the
21 election?

22 ████████████████████ Well, what I'm trying to understand is that she used
23 phrasing there that --

24 Mr. Seigel. In other words -- if I can just interject -- are you asking her based on
25 the electoral count or that was projected, or are you talking about her personal beliefs?

1 [REDACTED] Well, I'm not asking whether -- I think we can all count the
2 electoral college, so we know how that ended up. I'm not asking about that.

3 Mr. Tacopina. You're asking her personal belief.

4 [REDACTED] Well, when I say personal belief, it's not because we have
5 interest in where she comes down politically. But what I'm trying to understand is that
6 when you're -- is like the intention behind the rally for those who participated, those who
7 spoke, what you expected the rally would -- an effective rally, where that would end up,
8 right, or the aim?

9 Mr. Tacopina. I don't mean to interrupt you, but I think she said several times
10 that she did not participate in this rally with the anticipation that this rally would
11 somehow upend the votes, would prevent the certification. She said that many times,
12 that she did not participate in the rally thinking that or even thinking that the rally itself
13 would cause that to happen.

14 The Witness. That's correct.

15 BY [REDACTED]:

16 Q Was it your understanding that President Trump had, in speaking with Don
17 Jr. or anyone else in that orbit, that he had an intention that the certification -- that the
18 objections would lead to obstructing certification that day?

19 A Absolutely not.

20 Q So are you saying that it was your understanding that Don Jr. also thought
21 that Joe Biden would be certified the President by the end of January 6th?

22 A Absolutely.

23 Q And then did you talk to Don Jr. about his father's expectation about that
24 day?

25 A I think the President thought it was going to be certified as well. I don't

1 think there was --

2 Q So is it fair to say that, as you're saying, everyone that was involved believed
3 that nothing would change after that day was the intention and the rally was just for
4 show?

5 Mr. Tacopina. Well, everyone else's intention is something I don't think she can
6 speak to.

7 The Witness. Yeah. I can't speak to everybody's mindset or intention, but I
8 know what I believed and what I thought. And what transpired and then the aftermath
9 was nothing that I would have ever, ever anticipated or expected.

10 BY [REDACTED]:

11 Q But I want to put aside what happened, because I'm not making a suggestion
12 that you were intending for violence.

13 A No, I get it. And I was physically not present. I was already on a plane.

14 Q But what I'm trying to understand is, in leading up to the event, you -- there
15 it looks like that's quite a joyful, happy time that we're watching. Would that be fair?
16 You all looked pretty happy.

17 A Yeah. We're listening to the music. We're backstage. It's nice to see all
18 those people. It was very peaceful there, it really was. You had to be there to see.
19 And it wasn't any different from any other rally at that point that, you know, we would
20 do. And you have the crowds out there and people are excited.

21 Q So when President Trump is telling people to keep the fight and whatever
22 else, what did you understand that he meant, if you're saying that you believed and Don
23 Jr. believed that the votes would be certified and Joe Biden would be President and
24 nothing would change?

25 Mr. Tacopina. Protesting. Protesting and standing up for what they believe.

1 [REDACTED] Well, if I could ask Ms. Guilfoyle's opinion on that, if I
2 could hear from her.

3 The Witness. Yeah. I mean, no, when I say, okay, you got to fight, fight for your
4 rights, fight for what you believe in, that's what I did as a prosecutor my whole life. So I
5 always use that terminology. It had nothing to do with any march. It had nothing to
6 do with any insurrection. It had nothing to do with any attempts to overturn the
7 election or to try to obstruct a certification of a valid election in any way, shape, or form.

8 [REDACTED] So Don Jr.'s speech, just a piece of it, he yelled: It should be a
9 message to all the Republicans who have not been willing to actually fight, the people
10 who did nothing to stop the steal, this gathering should send a message to them. This
11 isn't their Republican Party anymore. This is Donald Trump's Republican Party. This is
12 the Republican Party that will put America first. If you're going to be the zero and not
13 the hero, we're coming for you, and we're going to have a good time doing it.

14 So there's definitely a sense that something -- I mean, who did he think -- who do
15 you think that was addressed to other than the Republicans who were about to certify
16 the election?

17 The Witness. I've heard him give a ton of speeches, and I know that he did not
18 think anything but that that certification was going to happen. And we thought that
19 already before that day.

20 But nevertheless, like, that's even not something that is egregious for Don to say.
21 He's talking about Republicans in name only. Like, RINOs are people that don't fight
22 hard to try to win elections or put the right people in place to, you know, put together
23 good teams to win races. That's the type of thing he's talking about. And he still talks
24 about stuff like that to this day.

25 BY [REDACTED]

1 Q And just so we're clear, you're saying in speaking with Don Jr., your
2 understanding is that President Trump also believed that the vote would be certified and
3 nothing would change, again, that day with regard to the winner of the election?

4 A That's my opinion.

5 Q Well, I'm not asking for your opinion. I'm asking is that informed by your
6 conversations, your private conversations you had with Don Jr.?

7 A That was what Don Jr. and I believed when we were talking and having our
8 conversations for sure. And I didn't get the sense that day that the President thought
9 the election wasn't going to be certified.

10 Q So to the extent that observers of Don Jr.'s speech left, let's say if they would
11 have left thinking that there was something that could happen that day, they would have
12 reached the wrong conclusion, because you're saying that's not what he intended them
13 to think?

14 A Well, in no way, shape, or form was Don condoning any kind of violence or
15 any insurrection, anything like what transpired that day. We were all horrified and
16 upset and saddened by what occurred at the Capitol, and that should, yes, never happen
17 again.

18 But it was very different at that rally. It was very peaceful. It was a nice rally
19 and people out there just having a good time. And then seeing the aftermath hours and
20 hours later after landing, it was, you know, shocking and upsetting to see, obviously, for
21 anyone.

22 BY [REDACTED]

23 Q So, actually, if we could on that point, and I'm skipping ahead just because
24 we're here, I think you said you immediately after the President's speech left, went back
25 to the hotel and boarded a plane.

1 A Uh-huh.

2 Q Public reporting had you taking off from Dulles International Airport at 3:47
3 p.m. Does that sound right?

4 A I actually don't know the exact time, because I know that we were like held
5 up for a little bit on the plane, but I don't know the exact --

6 Q I just mean ballpark. That was what aviation records said so --

7 Mr. Seigel. What time did they say?

8 [REDACTED] 3:47 p.m.

9 Mr. Seigel. Thanks.

10 [REDACTED] Just takeoff.

11 BY [REDACTED]

12 Q Just ballpark, does that seem right?

13 A I mean, I guess. I don't -- I don't know exactly what time it was.

14 Q And do you remember Charles Herbster, I believe he's a Nebraska
15 gubernatorial candidate, do you remember him being on the plane with you?

16 A I think, yeah, he was on the plane.

17 Q Do you remember how many people were on the plane?

18 A No, I really don't, because I was like exhausted and frozen and tired and tried
19 to close my eyes to sleep to bit and just, you know, that's it.

20 Q Was it all -- it was Rick Kofoed, obviously, and then were all the Kofoeds on
21 the plane?

22 A No. I think it was just Rick and Stacy.

23 Q The wife?

24 A Yeah.

25 Q Okay. And Herbster, you, and was Don Jr. on the plane with you?

1 A No. He went back I think to New York. He had to go to work or do
2 something.

3 Q Ah, okay. So, to the best of your knowledge, he stays in D.C. that day?

4 A No, I don't think he stayed in D.C. I think he left for the airport to go to
5 New York. He had to fly out. He did not stay in D.C.

6 Q Okay. Do you know if his flight was later that day, like --

7 A I don't know.

8 Q Okay. And I'm going to come back. So you were not with -- as of
9 presumably, let's say around sometime between the end of the speech, which I think is
10 like at 1-something, and 3:47, from the time that you leave, you are no longer with Don
11 Jr. at that point, correct?

12 A Correct.

13 Q You go back in the hotel by yourself?

14 A No. We both went back to the hotel and then parted separate ways. I
15 mean, we left, motorcaded out. And then I got my bag, and I think he got in his car and
16 they went to the airport.

17 Q Okay. Are you with him leading up to when -- like, if we flip really quickly
18 to exhibit 29, this is the Meadows text again. If you look at the text on January 6th,
19 which is I think the sixth from the bottom maybe, there's two blue ones very close
20 together. One's November 6th, one's January 6th.

21 Mr. Tacopina. That is too small, look on the screen.

22

BY [REDACTED]

23 Q Yeah. If you look on the screen, it's much easier to see.

24 But on January 6th, at what looks like 2:53 p.m., it looks like Don Jr. texts Mark
25 Meadows and says: He's got to condemn this shit ASAP. The Capitol Police tweet is

1 not enough.

2 A Yes.

3 Q And Meadows responds back: I am pushing it hard. I agree.

4 Just out of curiosity, going back to your point earlier where you said, you know,
5 it's his dad, is there a reason why he wouldn't have texted his dad directly and he would
6 have texted Meadows this?

7 A Yes, because you can't text the President of the United States.

8 Q That's impossible? He doesn't have a phone to text?

9 A I don't know anybody who's texted him. Do you?

10 [REDACTED] No, no, no. I'm saying I agree.

11 [REDACTED] This is helpful to understand. We're just trying to get your
12 understanding.

13 The Witness. If you want to reach him, you would have to call White House
14 operator to try to get through, or you would contact like chief of staff or someone that
15 you think might be around him.

16 BY [REDACTED]

17 Q Somebody standing with him?

18 A Yeah.

19 Q Okay. No, that's very helpful.

20 And then about it looks like 4 minutes later, Don texts Mr. Meadows again and
21 says: This is one you go to the mattresses on. They will try to fuck his entire legacy on
22 this if it gets worse.

23 And immediately again he texts: I'm not convinced these are Trump supporters
24 either, by the way, so we should be looking into that.

25 And then 2 hours later, I believe at 4:05 p.m., Don texts to Mark Meadows: We

1 need an Oval address. He has to lead now. It's gone too far and gotten out of hand.

2 A Uh-huh.

3 Q And 6 minutes later he says: Now Biden beating us to the punch.

4 Were you present with Don at any point during this time when he's sending these
5 texts to Meadows?

6 A No. But like I also don't know if I was or I wasn't, if we were leaving or
7 what was happening, I don't think so, because -- no. And, again, we were in separate
8 areas. But, you know, later, then I know that that's, you know, how Don felt, obviously,
9 and --

10 Q So I will proffer to you that there is a series of phone calls where Don Jr. is
11 having calls with Schwartz and Surabian around, I'll say, 4:17 p.m. Were you with him
12 when he was having those calls?

13 A No, I wouldn't be privy to that.

14 Q Okay. Did you talk with Don at all regarding the situation or conversations
15 he had with his advisers about the situation?

16 A I just knew how Don felt about it. So they're his friends, and they -- you
17 know, they say they're advisers, et cetera. But, you know, it's not like -- you talk to
18 people that you're close with. Oh, hey, what's going on with this? And they probably
19 discussed it.

20 But I know what Don's opinion was. I can't, you know, speak to them. I'm --

21 Q What was his opinion?

22 A That this was totally out of hand.

23 Q And do you remember him being -- I mean, was he -- to the extent that you
24 remember -- well, I guess you weren't -- you weren't with him at that point.

25 A No.

1 Q You had already boarded the plane. Okay.

2 All right. Really quickly, I just want to go back. That day, January 6th, do you
3 remember having any conversations or interactions -- and I'm just going to read you a list
4 of people. And I just want you, to the best of your recollection, to the extent that you
5 remember anything about talking with them or seeing them that day, what you
6 remember.

7 Kylie Kremer?

8 A I remember seeing her I think with her mother, yes.

9 Q Talking to her at all?

10 A No. Not that I recall.

11 Q And that's all I want is to the best of your recollection.

12 What about Katrina Pierson?

13 A Yes, she was there. And, yeah, hi, you know, that type of thing.

14 Q No other conversation other than that?

15 A No.

16 Q Cindy Chafian?

17 A I don't know who that is.

18 Q Did you see Caroline that day?

19 A Yes, I did.

20 Q And did you have any conversations or spend time with her?

21 A She just came up and said hi. And she had a head wrap thing on, and she
22 was kind of around that area where Katrina and Kylie and Amy Kremer were.

23 Q Did you talk with her at all about how things were going?

24 A Not really. Like, hello, hi. You know, that was it.

25 Q Okay. Did you talk to Julie Fancelli at all on the 6th?

1 A I don't think so. I have no recollection of speaking to her on that day.

2 Q What about Attorney General Ken Paxton from Texas or any of his staff?

3 A I remember, I think, seeing him and his wife earlier on around the front of
4 the tent, briefly.

5 Q Pleasantries?

6 A You have to understand the context. It's absolutely bone-chilling cold and
7 no one's like [indicating].

8 Q What about some of the individuals we mentioned earlier? And I'm just
9 going to read them as a group. Ali Alexander, Roger Stone?

10 A No.

11 Q Alex Jones?

12 A No.

13 Q General Mike Flynn?

14 A No.

15 Q Okay. And understanding -- outside of the questions that we've already
16 asked regarding President Trump or any of the other family, did you have any
17 conversations that day with a family member about the events that transpired on the
18 6th?

19 A I might have talked to Don later, you know, when -- after I landed, after he
20 landed, because I didn't have WiFi on the plane. And then, like I said, I was just like, you
21 know, resting and stuff because I was in a lot of discomfort. And then, you know,
22 obviously finding and seeing what happened.

23 Q So we'll pause for a moment there since you brought it up, but when do you
24 remember becoming aware of what was happening in terms of the attack on the Capitol?

25 A I don't know if it was when we landed and started to get cell reception back

1 or seeing videos. And then I wanted to, you know, get home and turn on the TV and see
2 what the hell is happening here, because it was like really upsetting.

3 Q Did you talk to Rudy Giuliani, Boris Epshteyn, or John Eastman that day?

4 A I don't even know if I've ever spoken to John Eastman. I don't really -- I
5 mean, I've heard of him, but I don't really know him.

6 Q What about Mayor Giuliani or Mr. Epshteyn?

7 A And I don't recall that I spoke to them that day.

8 Q Did you see or talk to any members of President Trump's Cabinet or staff
9 that day?

10 A We saw Mark Meadows and said hello to Mark, and he was there at the
11 White House and in the tent. And I think you see with the video you see who's around.

12 Q There was a call that morning that you had with Dan Scavino at 10 a.m. If
13 you want to look at exhibit 23, page 36. Do you remember what you would have called
14 Mr. Scavino that morning about at 9:45 a.m.ish?

15 A No, I really don't.

16 Q I mean, you rarely ever talk to him. I was just curious if you --

17 A No, but we're friends.

18 Q Okay.

19 A But, you know -- he's really busy nonstop, so he's not the kind of guy you
20 should be bugging.

21 Q Yes. So going back a moment, the plane's takeoff I think is at 3:47. The
22 Capitol breach -- I mean, people had already started going to the Capitol, I think, before
23 the -- before even the President said to march. But the Capitol breach I think is around
24 1:30ish, give or take.

25 So is it -- and you said you didn't hear until the plane landed. So is it your

1 position that you didn't know about the attack until 3 hours-ish after it started?

2 A No, I don't know exactly what time. Like, when you say the attack, like,
3 what actually transpired there and the full extent of it, I didn't know that, all the whole
4 full story, till after. You know, there was a lot of people I saw when we were leaving like
5 just in the streets in general, like even over by the hotel and, you know, that type of thing.

6 So it was like just people on the streets, which you do see at rallies. But I don't
7 remember the exact moment when I was like, wait, what's going on, right?

8 Q So I can tell you, I mean, just -- I remember my phone blowing up, because I
9 live six blocks from the Capitol, and people literally telling me what was happening,
10 because I had no idea that anything was even happening that day. I can tell you exactly
11 where I was when I first learned of it just because it was a big deal.

12 A Right.

13 Q A text, you know, Capitol overthrown, some dramatic people in my life.
14 But do you remember where you were when you became aware that the Capitol had
15 been attacked?

16 A I don't. I don't recall like being, like, attacked. I saw people in the street.

17 Q Breached, whatever the word is you prefer, but something is going terribly
18 wrong at the Capitol beyond people marching.

19 A I don't recall, I really don't.

20 Q Okay. And you don't remember any of the conversations with Scavino that
21 morning, what you would have talked about?

22 A You said there was just one call?

23 Q Yeah, I believe it was --

24 A I don't recall what it was. It might have been just logistical for us to go over
25 there.

1 Q And did you have any contact with Members of Congress that day at all,
2 either in the tent or afterwards?

3 A No, not that I recall. I'm trying to think. No, because I saw Ken Paxton,
4 but he's AG.

5 Q And you didn't have any conversations with any Congresspeople
6 about -- including Senators -- regarding the actions they were going to take on January
7 6th?

8 A Not that I recall. Are you saying on that day or just in general?

9 Q Just in general.

10 A Yeah. No, not that I recall.

11 Q Okay. So I want to turn to some fundraising emails that went out that day.
12 If you can look at exhibit 18, I believe this is from your production.

13 A Okay. Can you give me a time estimate? Because I'm already missing my
14 one flight. My son's home alone.

15 Q Yeah. No, I understand. I think we can be done, I'm going to say 30
16 minutes, because we gave the court reporters a stop of no later than 7:30, and we are
17 trying to end earlier than that.

18 A Okay. I understand. Thank you.

19 Q So that's -- if it seems like I'm speeding, that's partially why, just because I
20 want to be respectful of everyone's time, but there are a couple of things we wanted to
21 run through with you.

22 A Okay, go ahead.

23 Q So if you could look at exhibit 18, this is an email that's sent, I believe, at
24 12:09 a.m. on January 6th, and it says: Is it true that voting machines were not working
25 earlier in certain Republican congressional districts for over an hour? If so, we must

1 remain vigilant.

2 And it's raising money, if you look at --

3 A Right.

4 Q It's raising money for the, I believe the Election Defense Fund somewhere.

5 Oh, actually, this one may not say it. It's just 1,000 percent impact: Activated!

6 Oh, there it is: Please contribute \$5 immediately to protect our Republican
7 Senate majority and to defend the election.

8 To the best of your knowledge, do you know if it was true that voting machines
9 were not working?

10 A I have no idea.

11 Q Okay.

12 A But I didn't send this email out. I'm just --

13 Q No, you received this.

14 A I know. I'm on the receiving end because I'm signed up for emails.

15 Q Right. And if you -- actually, let's just flip through really quickly. Just take
16 a look at exhibits 18, 19, 20, and 21. And these are actually four emails that you
17 produced in your production. So it may be all of them. It may be some of them. But
18 these are four emails that you produced on January 6th alone, starting at 12:09 that
19 morning going until 2:25 p.m. on January 6th. And just like read the text of those.

20 A Okay.

21 Q I'm just going to -- if you look at exhibit 20 on the first page: The Vice
22 President is right. Today will be crucial. Over a hundred Members of Congress plan to
23 object to the election results, because they share the concerns of millions of Americans
24 about voting irregularities. This is our last line of defense, Kimberly. For a short time,
25 when you contribute to the official Defend America Fund, you can increase your impact

1 by 1,000 percent.

2 And then if you look at the next email, this is 2:25 p.m. that day: We're six days
3 into 2021 and I can't defend this election alone. Making sure we have enough resources
4 to save America, especially when the left and fake news media are working overtime to
5 take us down.

6 A Uh-huh.

7 Q And I believe this is the last one you receive.

8 Did you have any problems with the content of these emails?

9 A I never even read these.

10 Q Did you read any of the hundreds of emails that you would have gotten if
11 you were subscribed to this between November -- between the election -- so you didn't
12 see the theme of --

13 A No, I did not.

14 Q You didn't read any of these emails?

15 A No, I did not. I'm reading them now because it was part of the production.

16 Q You never had any -- did you have any conversations with anyone about the
17 email content?

18 A No, I did not. Again, I'm just on a database like signed up for emails, and so
19 these are just coming in. And, no, I don't open them or read them.

20 Q But periodically, not in these four, periodically the digital fundraising team
21 would actually want to send emails out that sounded like they were coming from you,
22 correct?

23 A Yes, I've seen some emails come out from me. Me, Don Jr.

24 Q Okay. I believe they call them surrogate emails, right?

25 A Uh-huh. Yes.

1 Q Okay. And if you look at exhibit 32, I think this is the one that you're
2 referring to.

3 A Uh-huh.

4 Q So if you look at -- the emails go in reverse order, so the most recent is at the
5 front and the oldest is in the back. So if you look at -- the earliest email actually starts
6 on page 2. And this is a draft email from Donald J. Trump for President, Inc., but the
7 email address is kg@donaldtrump.com.

8 A Yes.

9 Q And the subject is, Call with Rudy Giuliani today at 5 p.m. Eastern. And this
10 looks like it's a proposed email to some individual.

11 A Uh-huh.

12 Q And it looks like to be from you, as the national chair of Trump Victory.

13 A Uh-huh.

14 Q Do you remember reviewing this?

15 A No.

16 Q Is this pretty -- is this similar to emails that you would have received as
17 a here's an email that we'd like to send as a Trump surrogate?

18 A Yeah. But, I mean, they don't always contact me and very rarely to say,
19 okay, do you approve this to go out? So stuff gets generated and sent out from the
20 database.

21 Q So do you know if you were sent these to review before they went out?

22 A I don't believe I was, no. I'm reading it now, looking at it.

23 Q Take a look at exhibit 33.

24 A Uh-huh.

25 Q So this is an email where -- I'm not sure. Falicia Mandel is finance director

1 for Trump Victory Finance Committee. Does she work for you?

2 A Yes. She's one of the people that worked for me.

3 Q So she asks the next day -- the exhibit 32 emails are on November 9th.

4 Falicia Mandel asks the next day: Can we send to Kimberly for approval? Thank you.

5 And Alex Cannon responds on November 10th: Yep.

6 Do you remember actually getting this email to review?

7 A No.

8 Q To the best of your knowledge, was it common for Ms. Mandel to request
9 that if something was coming out from you, that you be allowed to review it first?

10 A Yes. Usually they were supposed to, but that didn't always happen. I've
11 seen emails go out that are just from the database versus if something is sent out from
12 me specifically as in Trump Victory Finance Committee versus the Donald J. Trump for
13 President database.

14 Q Did you draft these emails, or who would have drafted --

15 A I did not draft them and I don't know who did.

16 Q You have no idea who drafts your surrogate emails?

17 A I have no idea who drafted this email. I don't know for each individual
18 email who drafts them.

19 Q When you did review these emails, if they did send them to you, what did
20 you review them for?

21 A I always -- if we sent an invitation or something out to a Trump Victory
22 Finance Committee event, I approved those. Those are very specific. And to donors
23 that, you know, say there's an event in Alabama or wherever. And we'll target who we
24 think we want to send an invite to. These are just -- this is just mass mailing, what
25 you're looking at here.

1

2 [6:51 p.m.]

3

BY [REDACTED]

4

Q So the email that they send in exhibit 32, on page 2, looks to be like they are

5

proposing a meeting for people to attend, a call, with Rudy Giuliani, regarding legal

6

efforts, an update on the legal strategy for election integrity.

7

Do you remember organizing that or having any role in organizing an event like

8

that?

9

A No.

10

Q So somebody could've drafted this and you would've had no idea?

11

A Correct.

12

Q Okay. And I'll just proffer to you then on page 1, that event does not

13

happen. In the very first email on the top, somebody says, per Bill Stepien, this is not

14

approved to happen. So just --

15

A Right.

16

Q I'm just proffering that to you.

17

A That's probably why I never saw it.

18

Q Are you saying you never saw this email?

19

A I don't know. I don't recollect this whatsoever. And so -- but I'm looking

20

at it now, and I don't recognize it even. And maybe it never got in front of me because

21

the event was never approved.

22

Q So when you produced the emails that you produced -- I think there were

23

four of them, and I believe maybe number 18 or 19 was the last one --

24

A Yeah.

25

Q -- 21 actually -- do you remember having any discussions with anyone or

1 anyone ever discussing with you that fundraising emails should stop after the January 6th
2 attack?

3 A No. But I was not working for the campaign.

4 Q No, I understand that. I just was curious if either Don Jr. or any of the
5 family members, or if you remember ever having any discussions with anyone regarding
6 the decision to stop all fundraising on January 6th.

7 A No.

8 Q Okay.

9 A I'm not aware of it.

10 Q There were witnesses that said that you and Don stopped doing media
11 appearances after January 6th until after inauguration. Do you remember that?

12 A I know we weren't on the air doing any media appearances.

13 Q Do you remember --

14 A I don't recall what date, if any, that I went on the air again or he went on the
15 air again.

16 Q Okay. But do you remember at least having conversations with people
17 saying that you were not doing media appearances after January 6th until after the
18 inauguration?

19 A I don't have a recollection of that as I sit here today, no.

20 Q Okay. Do you remember talking with -- let me go to exhibit 27. I think
21 this is Mr. Budowich.

22 So if you take a look at exhibit 27 -- and actually, if you look in the book, there's a
23 phone number, [REDACTED].

24 A Uh-huh.

25 Q We have that number as Lea Bardon, who I believe was your executive

1 assistant. Do you recognize that number?

2 A I don't recognize the number, but Lea Bardon was my executive assistant
3 and helped out with campaign events.

4 Q Do you have any -- I guess what I'm asking is, is are we wrong in that that is
5 not her number, do you know?

6 A I have no idea.

7 Q Okay. Do you happen to know her phone number?

8 A I don't know her phone number by heart, no.

9 Q No, I was just -- some people pull out their phones and check their contacts
10 just because none of us know any phone numbers without our phones. But I was just
11 curious, we were hoping you could confirm that we have the correct person involved in
12 these texts.

13 A Yeah, I'm trying to read them to see. Let's see. I don't know. Let me
14 read here.

15 What is this about?

16 Q I don't know who he's talking about. I have no idea. But what we have
17 starts here. And then if you scroll down to page 2, I believe.

18 A Oh.

19 Q So Ms. Bardon says on January 18th, "Hey, KG had said they aren't doing any
20 media until after inauguration but wanted to double-check that hadn't changed because
21 Newsmax Greg Kelly called me and wanted to see if Don or KG could do a hit on
22 censorship."

23 And Budowich responds, "Yeah, I just told her no. Jessica."

24 And Lea says, "Yes, her. Cool. Thank you. Thank you."

25 A Yeah.

1 Q So I just --

2 A That sounds like Lea. And there's also the reference to Chris up above
3 somewhere, and that's her boyfriend, is Chris, so that sounds like Lea.

4 Q But did you have conversations with Ms. Bardon saying that you and Don
5 would not be doing any media until after inauguration?

6 A No, not that I recall, but it's possible she could've reached out to me to say,
7 hey, somebody -- because people knew she was my assistant from before -- she was no
8 longer my assistant -- but they would say then, because that was pursuant to the
9 campaign.

10 But it's not, you know, unexpected that someone would reach out because they
11 had, there was a POC before, if they made an inquiry for me for a press appearance or a
12 hit.

13 Q Why did you guys make that decision?

14 A I just don't even recall at the time.

15 Q You didn't have any discussions about it?

16 A No. It's not something I, like, remember right now why we said we weren't
17 or we were, but I think it's, in retrospect, it's probably a good idea.

18 Q Well, it seemed like earlier you were saying that you made a portion of your
19 income off of speech, which I thought -- speeches -- which I thought fell under media.
20 So it seems like you would be going without income during --

21 A No. You don't get paid to go on television.

22 Q I'm going to take your word for it.

23 A No, speeches are, like, get up and giving a speech to a group versus, oh, I'm
24 just going on. Unless you're a contributor and you have a signed contract, you don't get
25 paid for a media appearance, like on, you know, Newsmax, OAN, or FOX.

1 Q Okay.

2 A You have to be signed as a contributor or anchor.

3 Q So this wasn't a loss of income, this was just a choice not to do any media?

4 A Yeah. No, I mean, I -- you don't -- I don't get paid for that.

5 Q And I may have asked this, but did you and Don have conversations about
6 this? Did you decide to do this?

7 A You know, I don't recall. I mean, just thinking about it now, I think it
8 seemed like a good idea, right, because in the aftermath of what occurred, to be
9 respectful, and then wait until the President is sworn in.

10 Q Okay. And then what communications regarding January 6th -- so I'm
11 talking specifically about the day, January 6th, and the events on there. I'm just going to
12 ask some people, regarding whether you had any contact with them pertaining to
13 January 6th.

14 Did you have any contact with Ali Alexander, Roger Stone, or Alex Jones?

15 A No.

16 Q General Mike Flynn?

17 A No.

18 Q Okay. What about any of the Trump family members, excluding for the
19 moment Don?

20 A What do you mean? Contact with them prior to January 6th?

21 Q No, no. Contact after January 6th where you talked with them about
22 January 6th.

23 A Oh, yeah. Don and I spoke about it, but I don't have any recollection of
24 speaking to the other family members about it.

25 Q There was a call that you and Eric had on January 20th. You guys don't -- it

1 doesn't seem like you speak to each other that often, so I was just curious if you
2 remember what you may have talked with him about on January 20th.

3 A He and I have a really good relationship, and so, you know, we'll text or talk
4 back and forth. And sometimes when he's trying to reach Don, he calls me, says, "Hey,
5 KG, is Don there? Can you put him on?" That type of thing.

6 Q Oh. Okay.

7 A Or we'll say hi or what's going on. Sometimes he might ask me for help,
8 you know, like, "Hey, we need a babysitter. Do you know one?" Like that type of stuff.

9 Q A moment ago you said you did talk with Don. What conversations have
10 you had with Don about the events on January 6th, to the extent that you can remember
11 any of them?

12 A Not a lot, quite frankly. I mean, it's not like we sit there and talk about it all
13 the time. We have so much, you know, going on.

14 Obviously, we're both very upset with what happened, and we both would've
15 liked the media response to come out, et cetera. So it's just one of those things. It's
16 not something that we are talking about every day.

17 Q Did you ever have any conversations with Giuliani, Eastman, or Epshteyn
18 after January 6th?

19 A No, not that I recall.

20 Q Any Members of Congress?

21 A No, not that I recall.

22 Q Did you ever talk to any of the Women for America First, the Kremers?

23 A No.

24 Q What about Caroline Wren?

25 A I might've talked to her in some time frame, but I also didn't speak to her for

1 a very long time, I think probably a few months.

2 Q Even when all of the reporting and everything was coming in and questions
3 were coming in about the funding and the organization?

4 A You're talking about right after January 6th? Yeah, there was a period of
5 time there that I didn't speak to her because, you know, obviously I was still upset about
6 what happened with that whole thing. And just everything that transpired was very
7 disappointing and people's behavior.

8 Q Did you have any conversations with Katrina Pierson after January 6th?

9 A Not that I recall.

10 Q What about Taylor Budowich?

11 A Taylor, probably yes. I mean, I have spoken to Taylor since January 6th.
12 We're friends, we speak.

13 Q So the day after, on January 7th --

14 A He also works for the President now, so --

15 Q Oh, I'm talking about kind of like in the aftermath.

16 But on the day after, on January 7th, you spoke with him for 12 minutes. It was
17 probably actually one of the longest calls -- it was a long call in terms of call length.

18 A Uh-huh.

19 Q Did you discuss the day before at all?

20 A I don't recall. I mean, it might've come up, but I don't have a specific
21 recollection, it's a year and a half ago, of exactly what we talked about.

22 Q I thought maybe if there was a "I told you so" or something to that effect,
23 that maybe it would kind of stand out in terms of --

24 A Yes. No, he's, like, I think, like, yeah, no. And like I said, he and I have a
25 good relationship, and so he's always been very good to me after that. I think he was

1 given some misinformation there from Katrina.

2 Q So the day after, to the best of your recollection, you don't remember
3 discussing with him January 6th at all?

4 A No. But I do recall that he sent me a text with that Twitter of something
5 about Ali Alexander, and then we both, you know, figured out what happened. And
6 Caroline said, "Yeah, I held the phone up to you, and, did you know who you were talking
7 to? I said, say hi."

8 Q Did you ever have any discussions with members of President Trump's
9 Cabinet or any of the administration officials after January 6th?

10 A Not that I recall.

11 Q So there's a specific call -- there's actually a few calls. If you look at exhibit
12 23, page 47, there's a little flurry on January 19th where Scavino and Meadows both call
13 you and then you call them back. And I think you have, like, three calls with Meadows.
14 And then you talk to him again on January 20th.

15 And the reason I ask is because these are, for your call records, these are
16 anomalous. And so I was just curious if you remember January 19th-20th time period?

17 A Wasn't that inauguration time?

18 Q Is that what it was about?

19 A I don't know. But I'm trying to jog my memory to see what would I be
20 talking to them about. The only stuff I would really, like, get on the phone with them
21 about is logistics, you know.

22 Q Okay.

23 A Like, "Oh, where are we going to be?" or, "What's going on?" I don't know.

24 Q Well, and that's possible because -- my brain is so fried -- January 20th may
25 have been the date of the inauguration.

1 ██████████ It was.

2 ██████████ January 20th was the inauguration.

3 ██████████ Yeah.

4 BY ██████████:

5 Q So is that what you think it was in regards to, the inauguration?

6 A Because remember we were with the President, and we flew home to and all
7 came home to Mar-a-Lago.

8 Q Okay.

9 A Because that's where the President moved since he left the White House.
10 And we all went. And he did a little goodbye at the airport. And we got on the plane.
11 And then we came to Florida. And then that was it.

12 Q And so briefly I just want to talk with you about conversations that you had
13 with Ms. Fancelli or her staff after January 6th.

14 Do you remember attempting to contact Ms. Fancelli at any time after
15 January 6th? Just if you want to refresh your recollection, the texts that you provided
16 with her are on exhibit 9.

17 A Okay.

18 Yeah. So just -- this is when I wrote my thing that there was another subject that
19 I wanted to go back to after I -- Kevin had asked something -- he's not here now, but -- so
20 Julie Fancelli and I spoke prior to, you know, any January 6th stuff, back, I think, or I tried
21 to reach her. Was it -- I'm trying to look at the dates to see.

22 But basically I had contacted her and reached out, because the only thing that I
23 was kind of working on, besides trying to find a house for us, was a media opportunity, to
24 be able to do something in media and put something together that would be not biased,
25 you know, good reporting, good people, not an extreme, not a CNN, not a FOX, but

1 something that actually was doing quality reporting with a good variety of news.

2 And I had talked to her about that before, because she was talking about the
3 media and how sometimes the media was so disappointing, meaning on prior occasions
4 on the calls with her.

5 And so I had reached out to her about doing one of those opportunities. She's
6 like, "Oh, this sounds really interesting, and I want to talk to my husband Mauro about it,"
7 and et cetera, et cetera.

8 And so that's what I had talked to Julie Fancelli about. I never spoke to Julie
9 Fancelli about giving any money to January 6th, January 5th, or anything to do with --

10 Q Okay, wait. I don't want to interrupt you, but -- and maybe because it's
11 late in the day, but I just got really confused.

12 Mr. Seigel. Let me clarify. So I think Kimberly intended to circle back to an
13 issue that arose earlier when you questioned her --

14 [REDACTED] This morning?

15 Mr. Seigel. Right, this morning, about a conversation that she had with Julie
16 Fancelli.

17 [REDACTED] After January 6th?

18 Mr. Seigel. Prior to January 6th.

19 The Witness. No, prior to January 6th.

20 [REDACTED] Prior to January 6th. Okay.

21 Mr. Seigel. Right. So since you had mentioned Julie Fancelli, she was circling
22 back to that issue.

23 [REDACTED] Okay.

24 Mr. Seigel. So it was about a call relating to whether or not -- it was about a call,
25 and your question as to why would she have called her if it weren't to solicit funds for the

1 rally. And that's what Kimberly was clarifying.

2

BY [REDACTED]

3

Q Okay. So now going back to your answer, because I had in my head,

4

because I had asked about after January 6th.

5

A Yes. And I just wanted to go back to the beginning --

6

Q Right.

7

A -- because I had written the note that I wanted to make sure to tell you guys,

8

because you didn't ask me about that, but I provided whatever documents because I

9

thought that it was responsive and that you had asked about Julie Fancelli. So this was

10

the extent of my conversations, and I'm telling you the content.

11

Q Yeah. So I just want to understand, you're saying that before January 6th

12

you reached out to her to propose, like, a media opportunity?

13

A Yeah, to discuss a media opportunity. Like, an acquisition of a media

14

property or putting one together, to be able to do reporting, journalism --

15

Q Like an investment opportunity?

16

A Yes.

17

Q Okay. And so it had nothing to do with January 6th?

18

A That's correct.

19

Q Okay. After January 6th --

20

A And that's why I had talked to Julie Fancelli.

21

Q Okay.

22

A So I had --

23

Mr. Seigel. Okay.

24

The Witness. Yeah.

25

Mr. Seigel. I think we're clear on that. So let's move on to post-January 6th.

1

2

BY [REDACTED]

3

4

5

6

Q Yeah. So post-January 6th there's these texts on exhibit 9. So this is January 30th. You texted her and said, "Hi, Julie. I just want to reach out and let you know that we are thinking about you. I am so sorry that they dragged your name into all of this. I hope you are doing well. XX, Kimberly."

7

8

And she responds about an hour later and says, "Hi. I'm doing so very well. Maybe one day we can speak in person." Surprisingly, no emojis.

9

10

And then you respond, "Loved. Hi. I'm doing so very well." Oh, I think that's the heart button. It just writes out, like, loved her message.

11

12

After these texts on January 30th, do you have any conversations with Ms. Fancelli or her staff?

13

14

15

16

A I believe that I reached Julie Fancelli -- and I can't read these too well, so -- on one occasion, and it was after receiving an inquiry from ProPublica that they had received text messages between Katrina Pierson and myself that we have referenced during this proceeding.

17

18

Q The "oh, that's my donor Julie, I raised that much money," yeah.

A Yeah. Julie gave 3 million.

19

20

21

And then after that I was like very unhappy that ProPublica was publishing something that was false and putting out a false narrative about me. And my attorneys, I told them that that was not the case, that I did not raise money for January 6th.

22

23

24

And then I requested, and I said, "Well, Julie, would you be willing to give a statement?" Because they had told, I guess, my attorneys that, "Hey, we would like to have a statement. Can we have a statement that that's, in fact, true?"

25

And so I reach out to Julie, and she said, "Yeah. You never asked me for any

1 money for January 6th. We never spoke about that whatsoever."

2 And I said, "Would you be willing to put that statement out?"

3 And she said, "Yeah. Let me send out to my attorney or my team or whatever
4 and ask them to do it."

5 And then that was sort of the last that I heard about it.

6 Q Okay. So I just want to make sure I understand --

7 The Witness. Perhaps you can summarize it because I didn't --

8 Mr. Seigel. No, I think you did.

9

BY [REDACTED]

10 Q Yeah, yeah. I just want to make sure, you spoke to Ms. Fancelli and asked
11 her, and said, "Can you put out this statement? ProPublica is about to say something
12 false." And she indicated that she was amenable to that?

13 A Yeah. And that she said, "Kimberly, you never called me or asked me for
14 any money for any fundraising for January 6th."

15 I said, "Yes, correct." I said, "They're trying to say that I did."

16 And she's like, "Well, that's not true."

17 I said, "Would you be willing to put out a statement?"

18 But then she checked, you know, with her lawyers. And so I can only surmise
19 that they did not want to do that.

20 Q And do you remember talking to anybody else on Ms. Fancelli's staff, with
21 the LJ Management Services company?

22 A I don't recall.

23 Q Do you remember anyone named Marianne Parsons?

24 A Oh, Marianne Parsons is like a -- I think, like, an assistant person for Julie
25 Fancelli. And I talked to her regarding the media opportunity in the fall of last -- of

1 2020.

2 Q And what was her reaction? Did she seem amenable to it?

3 A Yes.

4 Q Did she think it was a good idea for Julie to do it -- excuse me -- Ms. Fancelli?

5 A The media opportunity.

6 Q Oh, I'm so sorry.

7 A Right.

8 Q The investment opportunity.

9 A Yes.

10 Q Did you talk with Ms. Parsons after January 6th regarding the statement that
11 you wanted Ms. Fancelli to put out?

12 A I don't have a recollection of that. I might've tried to reach her, because
13 the way you reach Julie is you try to reach Marianne, or you try to call her, that type of
14 thing, because oftentimes she is in Italy as well, so it can be difficult to reach her.

15 Q But sitting here today, do you remember texting, conversing, like, having
16 any -- actually reaching Marianne Parsons about this?

17 A I don't have a direct recollection of that at this time.

18 Q But you do remember talking to Ms. Fancelli about it?

19 A Ms. Fancelli, yeah.

20 Q Okay.

21 [REDACTED] And to your best recollection, did any statement come
22 out?

23 The Witness. I didn't see it in the ProPublica piece. But they were made aware
24 of it, and they had other people telling them that that was not the case, that I did not
25 raise money for this event. But nevertheless they printed it anyway.

1

BY [REDACTED]

2

Q But sitting here today, you don't know whether Ms. Fancelli or any of her

3

representatives made any statement whatsoever?

4

A No, I don't know.

5

Q Okay. But in regards, like, what I'm asking is, do you know if they answered

6

your request to issue that statement?

7

A I don't know because she had to check with her attorney and her team to

8

make a decision if they would allow her to do it.

9

Q Okay. The other issue I wanted to ask you about was, we've had some

10

witnesses mention that there is, I guess, funds or multiple funds for witnesses who are

11

called to testify before the committee for their attorneys' fees to be paid for.

12

A Yes.

13

Q And I was curious if you've had any discussions with anyone regarding those

14

opportunities to have your attorneys' fees covered?

15

A I have not.

16

Q You have not. Okay.

17

A And no one has contacted me to have my attorneys' fees covered.

18

Q Okay. And you have not contacted anyone -- not discussions with your

19

lawyers -- but you have not contacted anyone with regards to opportunities to have your

20

attorneys' fees covered?

21

A I have not.

22

[REDACTED] Okay. If you could give us 3 minutes, and I literally mean 3 minutes,

23

because we are going to get these ladies out of here by 7:30. But if you could give us 3

24

minutes to just kind of finalize, regroup, and assess, we'd like to kind of wrap up.

25

Mr. Tacopina. We'll step out?

1 ██████████. That would be great.

2 Mr. Tacopina. Great.

3 [Recess.]

4 ██████████. So we are back from recess, and we have just a few more questions.

5

BY

6 Q Ms. Guilfoyle, are you associated with a company called KGT Global
7 Consulting LLC?

8 A Yes.

9 Q Is that your, we'll say, current entity?

10 A It's my Florida entity, yes. I set up an LLC in Florida.

11 Q Okay. And is there anybody else involved in that, or is that just you?

12 A It's me and then -- and I don't know the -- understand the exact accounting
13 capacity, but you have to -- it's like a member LLC, and so it's just my little brother.

14 Q Okay. You and he are the only members?

15 A Yeah.

16 Q Okay. And are you aware of a company called American Made Media
17 Consultants? It's sometimes referred to as AMMC?

18 A No.

19 Q You never received payments from AMMC?

20 A I don't know if I have or I haven't. What is it?

21 Q Do you know what it is?

22 A I don't recall that name.

23 Q Okay. It's a company that works with the campaign. We were just
24 curious if you had ever been paid by American Made Media consultants.

25 A I may have. I don't know. I don't recall.

1 Q But sitting --

2 A I would have to go back and look and see.

3 Q Okay.

4 [REDACTED] Are you aware of any payments you received that you
5 understood were supposed to be from the Trump campaign but came through a separate
6 entity, regardless of what the name is?

7 The Witness. That were supposed to be for what?

8 [REDACTED] That were paying you for your services with the Trump
9 campaign but another entity actually wrote the check to you. Does that make sense?

10 The Witness. Not really. I mean, what you're saying makes sense, but it
11 doesn't make sense to me because I got paid from TBFC (ph), from Brad Parscale, from
12 Parscale Strategy.

13

BY [REDACTED]

14 Q And how long did that go until?

15 A That was the whole time that I was on the campaign.

16 Q Okay. You were always paid through -- I'm sorry, say the name one more
17 time.

18 A I don't know the exact name [inaudible] to me, but, like, Parscale -- I don't
19 know what it's called, but --

20 Q Parscale's company?

21 A Correct.

22 Q Okay. And that was --

23 A Myself and Lara Trump.

24 Q Okay. And that was all the way through -- you said the campaign. Is that
25 through the election?

1 A Yes.

2 Q Okay. And is it your understanding your work stopped as of the date of the
3 election?

4 A Yes. But I know, like, I think the emails, everything, like -- and everything
5 was, like -- I guess that payroll period ends the 15th, something like that.

6 Q Okay. So there may have been some payments after the election, but your
7 work for the campaign ended on the day of the election?

8 A Yes.

9 Q Okay. And so sitting here, you do remember being paid by Parscale's
10 company, whatever it is, but you don't remember being paid by AMMC?

11 A Yeah, I don't know, but I would have to familiarize myself with it, because I
12 actually don't know.

13 Q We would just ask if you could add that to the search terms to the extent
14 that you didn't look for that, just to sort of tie that one up.

15 A Sure. I don't know if you have any more information about it to give me,
16 because I'd like to be helpful if that is something that --

17 Q We literally have the name American Made Media Consultants, and it does
18 work for the Trump campaign, so --

19 Mr. Tacopina. We'll do it. We'll do it. Obviously, all the requests you're
20 making we're marking down and we'll get back to you.

21 [REDACTED]. And did you ever receive any payments from the Save America PAC?

22 The Witness. Not that I'm aware of.

23 [REDACTED] Okay.

24 The Witness. Are you aware of any of them?

25 [REDACTED]. That's the Presidential -- that's the President's current

1 leadership PAC we're talking about.

2 The Witness. Yeah. So there's an entity called Save America, and that puts on,
3 like, the rallies and the events that he goes to speak at, things like that, right, like in
4 North Carolina or Michigan or wherever he goes. That's, like, Save America.

5 And then people like Justin Caporale go and produce and do stuff on the ground
6 and run that operation.

7 And then I am MAGA Again and MAGA Policies that I stated previously.

8 [REDACTED]. And who -- oh, sorry. Go ahead.

9 [REDACTED]. That's all right.

10 Do you mind explaining what you understand both of those entities to be?

11 The Witness. I don't know if I can explain it totally well, but they're super-PACs.
12 One is, like, a (c)(4) and one is a (c)(3). And myself, Pam Bondi, Ric Grenell, the former
13 Acting DNI and ambassador to Germany, he's on it, and the former Acting Attorney
14 General, Matt Whitaker, is on it.

15 BY [REDACTED]

16 Q These are people that are also America First Policy Institute, correct?

17 A Isn't that interesting? Yes. I just found that out too.

18 Q Okay. And so you would be paid by MAGA Again PAC?

19 A Just a salary. I don't get commission on anything.

20 Q Is that the KGT Global Consulting payments?

21 A I don't know if it goes into there or not, or if it goes into my personal
22 checking. Again, I have banking here in Florida now.

23 Q If you get -- because I don't know, I was hoping you knew -- but to the extent
24 that you get a salary, are there separate payments that would go to KGT Global
25 Consulting?

1 A From what?

2 Q From the -- is it MAGA PAC -- MAGA Again PAC?

3 Ms. Knooihuizen. MAGA Again and MAGA Action.

4 The Witness. Oh, well, you know, they had name changes. So now I think it's
5 just MAGA Again and MAGA Policies. What's MAGA Action? I don't know.

6 BY [REDACTED]

7 Q If you don't know, we probably don't know, Ms. Guilfoyle, with regards to
8 the different entities.

9 Okay. So that's super helpful.

10 Do you do any work for America First Policy Institute?

11 A I do not.

12 Q Okay. You said a minute ago that you were, like, "Oh, yeah, isn't that
13 interesting, I recently found that out" --

14 A Yeah, because I didn't know that they worked for them as well.

15 Q Okay.

16 A I think it's just Pam and Matt. I don't think Ric Grenell does. I don't know.

17 [REDACTED] Okay. Any other questions? Anyone else?

18 Okay. Then we will -- oh, just a minute. Then the deposition will stand in
19 recess, subject to the call of the chair of the committee.

20 And we very appreciate your time.

21 [Whereupon, at 7:23 p.m., the deposition was recessed, subject to the call of the
22 chair.]

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Certificate of Deponent/Interviewee

I have read the foregoing ____ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

Witness Name

Date